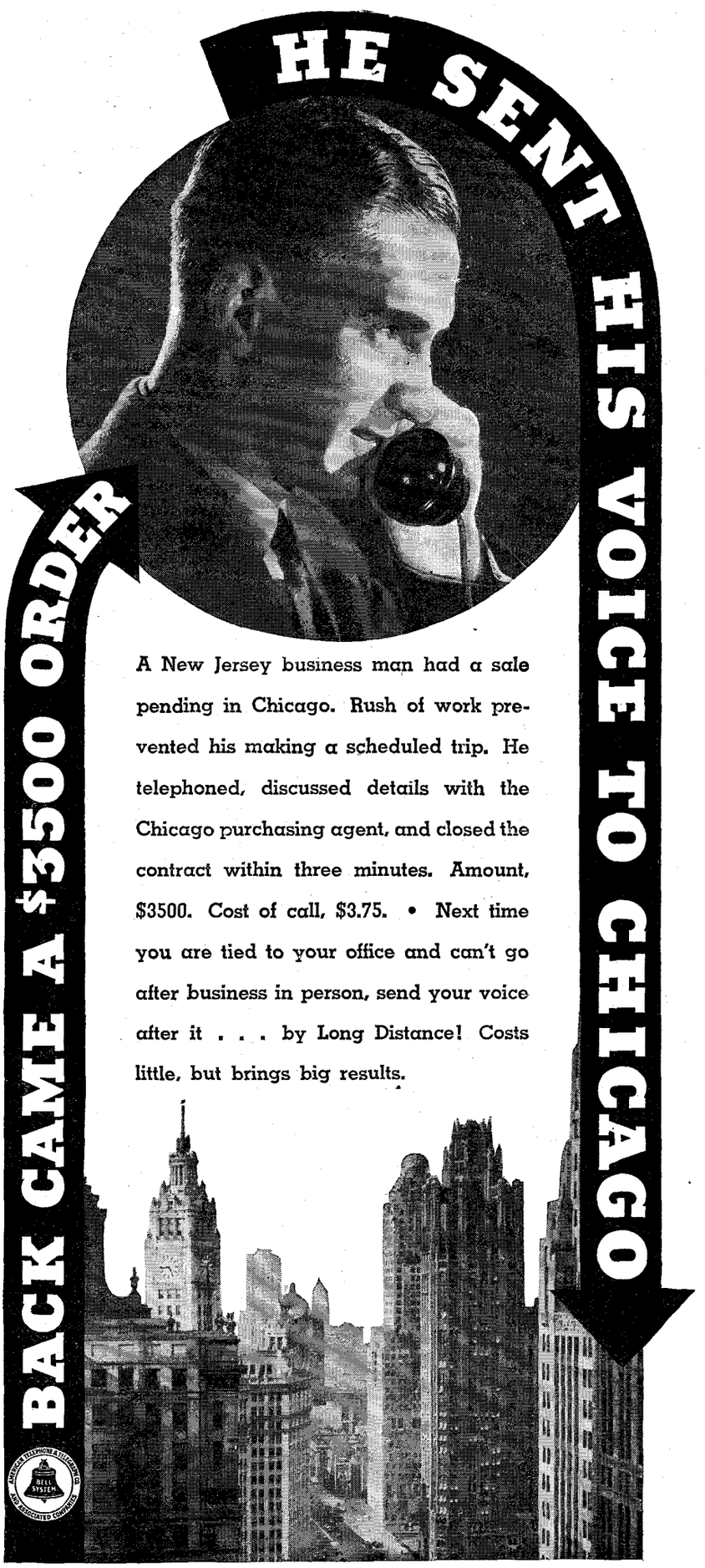
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The Literary Digest

for January 19, 1935

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ARTHUR S. DRAPER, *Editor*

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March of Recovery

Steel-ingot production in the United States last year amounted to 25,260,570 tons compared with 22,594,079 in 1933. Operations last year averaged 36.89 per cent. of capacity, against 33.53 per cent. in 1933. The daily output averaged 81,224 tons last year compared with 72,884 tons in 1933, according to an announcement by the American Iron and Steel Institute.

The New York Life Insurance Company obtained $60,000,000 more new business during 1934 than in 1933. In 1934 assets of the company were substantially increased, demands for policy loans became normal, and a large number of annuities were effected, Walker Buckner, Vice President, has announced.

Delivery of merchandise in the New York Metropolitan District for the week ended December 29, increased 31 per cent. over the corresponding period of 1933. The survey covered 260 stores, the comparison between the two periods being confined to identical stores, figures compiled by the United Parcel Service revealed.

● Tax Collections Gain

Collections of internal-revenue taxes during the fiscal year of 1934, amounted to $2,300,816,308, compared with $1,619,839,224 for the fiscal year of 1933, an increase of $680,977,085 or 42 per cent., the annual report of the Commissioner of Internal Revenue disclosed.

Retail stores in Michigan, with a sales-gain of 26.7 per cent. for 1934 over 1933, made the biggest increase of any of the country's nine largest States, according to H. I. Kleinhaus, of the National Retail Dry Goods Association.

Sales of General Motors automobiles to consumers in the United States last year totaled 927,493, compared with 755,778 in 1933. This represents an increase of 22.7 per cent., Alfred P. Sloan, Jr., President of the General Motors Corporation, has announced.

Exports of paints and paint products in the first eleven months of 1934 were valued at $12,633,000, an increase of 24 per cent. over the corresponding period of 1933, according to the Department of Commerce.

More than 10,000 men have been added to the Ford Motor Company pay-roll since its new car was introduced December 29, 1934. This was the best employment mark since 1929.

Contributors to This Issue

Frank Elkins is on the sports staff of the New York *Times* and has covered skiing for that paper for five years. He was born in New York City and attended New York University.

Joel P. Glass, who writes from California on college boxing, is making a tour of the country in search of material for sports articles. He was formerly on the staff of the New York *Sun*.

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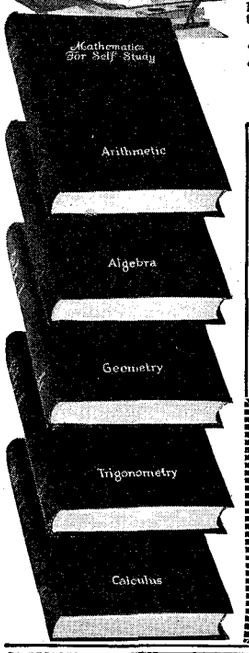

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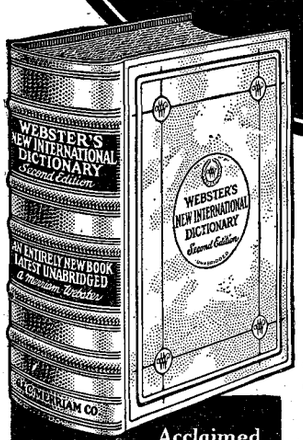

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NEW YORK The Literary Digest January 19, 1935

New Deal Meets Tests in Supreme Court

Oil Decision Holds Part of National Industrial Recovery Act Unconstitutional; Country Awaits Tribunal's Verdict on Gold Clause

Solemn in their black silk robes, nine elderly men, Justices of the United States Supreme Court, sat in judgment on parts of the New Deal last week.

By a vote of eight to one, they decided that one small part—Section 9-C of the National Industrial Recovery Act—was unconstitutional. That section, by authorizing the President to prohibit transportation from one State to another, empowered him to choke the flow of "hot oil"—that is, oil produced in excess of the amount permitted by law.

The Constitution, the court decided, sets a limit beyond which Congress may not go in delegating its law-making powers to the President, and when Congress adopted Section 9-C it exceeded that limit. Thus the court, which in the Minnesota moratorium and New York milk cases had previously upheld State emergency legislation, turned thumbs down on the first segment of the New Deal to come before it.

This subject disposed of, the Justices examined a more important segment, the resolution of 1933 under which Congress erased the gold clause from public and private obligations; from mortgages, government securities, industrial bonds, and so on.

Here the Government felt sure of its arguments, and Attorney General Homer S. Cummings presented them confidently. Hostile queries from Chief Justice Charles Evans Hughes punctured his assurance, however, and made him renew his pleading next day.

● National Spotlight Shifts

That day, too, the financial markets seethed. Government bonds containing the gold clause soared while stock and commodity prices dropped as investors tried to protect themselves against a possible Supreme Court decision overruling the abrogation of the gold clause.

All over the country, creditors and debtors are wondering what the court will do in this case. Hence, the national spotlight, which had previously played on Congress or the White House, shifted last week to the small, semicircular Supreme Court chamber in the National Capitol.

Before long the court will move into its impressive new $11,000,000 home, one of the largest buildings in Washington, but its present quarters, when empty, are not particularly awe-inspiring. It is when the Justices enter that the court-room assumes its atmosphere of austerity.

They sit in high-backed chairs at a row of small mahogany desks placed behind a heavy rail. Chief Justice Hughes, white-bearded and grave, occupies the middle of the row. The others arrange themselves according to seniority, with the newest members, Associate Justices Owen J. Roberts and Benjamin N. Cardozo, on the ends. Behind the Justices is a row of marble columns. Before them are chairs and desks for counsel, clerks, and sightseers.

Photographs © International

Benjamin N. Cardozo, Associate Justice of the United States Supreme Court, *left*, and Chief Justice Charles Evans Hughes

It is in this room that important phases of the New Deal are meeting their third and final test. The New Deal has already been indorsed by Congress and by the people. Now its principal parts must be adjudged constitutional by the Supreme Court.

The general opinion seems to be that it will pass this third test with flying colors, but not everyone agrees. Conservative men, eminent in the law, John W. Davis, Newton D. Baker, and James M. Beck, for example, question the constitutionality of one or more sections of the New Deal. Others echo them. The country awaits the verdict.

The majority opinion on the oil law was written and read by Chief Justice Hughes. The single dissenter was Associate Justice Cardozo, not yet as well known to the general public as the Chief Justice, but still a hero to bench and bar. Samuel Seabury of New York has called him "the most distinguished jurist of our age." Slight, pale, white-haired, he looks like the type of man who might read Latin and Greek for the fun of it, and he does. He is a bachelor, wedded solely to the law, with few interests outside it.

"There is no fear that the nation will drift from its ancient moorings as the result of the narrow delegation of power permitted by this Section," he declared in his dissenting opinion in the oil case.

The majority opinion took a different attitude. Congress, it protested, had set no course to guide the President, had established no barriers to restrain him.

Congress "left the matter to the President without standard or rule, to be dealt with as he pleased." Thus it tended to "commit to the President the functions of a Legislature rather than those of an executive or administrative officer executing a declared legislative policy." If Section 9-C were held valid, it argued, Congress, instead of performing its law-making function, could transfer it to the President or to any other officer.

Invalidating the Section, the court also scrapped the orders and regulations, issued by the President and the Secretary of the Interior, through which the Government has attempted to control oil production.

The Government has attempted to control it for two reasons: first, to stabilize the industry, and, secondly, to conserve a natural resource. It is not likely that oil will run wild under the Supreme Court decision. It is still regulated by State laws. There is also a code for the petroleum industry, as for others, and Donald R. Richberg, the President's right-hand man, points out that "the court has not, even by implication, cast a doubt upon the validity of the codes."

Moreover, President Roosevelt declares that the oil law will be rewritten until it satisfies the court's requirements.

● A Rebuke to Congress

Nevertheless, the court made a deep impression on Congress by rebuking it for divesting itself of its powers. The decision dominated the thoughts of Senators and Representatives, subordinating other subjects.

Of these latter there were several. The House got down to serious work by passing the first regular appropriation bill. A Senate committee reported, favorably, the protocols providing for our adherence to the World Court. The bonus issue continued to bubble in both houses, and, in the upper house, Senator Huey P. Long, Louisiana Democrat, launched an attack on the Roosevelt Administration.

Two days later, he repeated it in a radio address, declaring, "I can hope for nothing further from the Roosevelt policies," ad-

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vocating his plan to tax multimillionaires into limbo, calling on his hearers to organize Share-Our-Wealth Societies, and closing with a poem written by himself. It reads in part:

Ev'ry man a king; ev'ry man a king;
For you can be a millionaire.
But there's something belonging to others,
There's enough for all people to share . . .
There'll be peace without end
Ev'ry neighbor a friend,
With ev'ry man a king.

These subjects might have set Congressional cloak-rooms buzzing in a normal week, but, with the Supreme Court in vigorous action, they lost their lure as topics. The court's oil decision has made many Congressmen reluctant to make a $4,000,000,000 lump-sum appropriation, which would be used principally for putting the unemployed to work, but which the President could allot as he pleased. Mr. Roosevelt suggested this in his budget message, but opposition arose when the court invalidated the oil law.

Nor did the court's attitude in the gold-clause case make Congress any more confident of the validity of its own past actions. The court did not decide this case last week—strictly speaking there are five cases, tho they are being considered as a unit—but the tart questions of some of the Justices suggested that they were doubtful of another policy approved by the last Congress.

This policy lies at the heart of the Administration's whole monetary program. To argue the Government's side of the case, therefore, Mr. Cummings made his first appearance before the court since he became Attorney General.

● Gold Clause Argued

A big man, broad-shouldered and more than six feet tall, he towered over a small mahogany counsel's desk in the Supreme Court chamber. In his soft voice, but eloquently and with force, he argued, first, that Congress had the power under the Constitution to abrogate the gold clause in public and private contracts; secondly, that such action was necessary, and, thirdly, that if the court reversed this action the result would be disastrous.

The gold clause, found in many, if not most, bonds, mortgages, and other obligations, commits the debtor to repay his debt in gold. As usually phrased, it pledges him to pay "in gold coin of or equal to the present standard of weight and fineness." In June, 1933, Congress blue-penciled this clause and made gold obligations payable in ordinary currency.

Later, the President reduced the gold content of the dollar. It is no longer worth 100 cents in terms of gold, but 59.06 cents. Certain creditors, sticking to the letter of the gold clause in their bonds, refuse to accept the devalued dollar as the equivalent of the old one. If they are to be paid in devalued dollars, they say, they should get $1.69 for each dollar due them; in other words, the present-day equivalent of what the gold clause promised them. Several of them have brought legal cases which have now reached the Supreme Court.

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"Parting Is Such Sweet Sorrow"
—Hutton in the Philadelphia *Inquirer*

Answering their contentions, Attorney General Cummings held that, if Congress had failed to act as it did in 1933, the Administration's relief program could not have been carried out. If the gold clause were restored, he said, "the effect would be to deprive the Congress of the power to regulate the value of money."

Furthermore, the nation's public and private debt would be increased by about $69,000,000,000.

Each debtor bound by a gold clause would find his debt burden increased by 69 per cent. The upshot would be, not only "widespread bankruptcy," but a "catastrophe which would stagger the imagination." It would not be a case of "back to the Constitution," he declared. "It would be a case of back to chaos."

The question which brought Attorney General Cummings back to the Supreme Court chamber after he had completed his plea and left further argument to his assistants was asked by Chief Justice Hughes. The gold clause in Liberty Bonds was under consideration. Leaning over his desk, his face even more serious than usual, the Chief Justice said:

"Here you have a bond issued by the United States Government, issued in a time of war and in the exercise of its war powers; a bond which the Government promised to pay in a certain kind of money. Where do you find any power under the Constitution to alter that bond, or the power of Congress to change that promise?"

The decision on the gold clause is not expected before February at the earliest. Naturally, the court did not reveal last week what this decision would be.

Meanwhile, the press seized upon the court's decision in the oil case and debated it at length. Editorials in newspapers all over the nation indicated how respectfully the country receives the opinion of its supreme tribunal.

Some editors saw no menace to other sections of the New Deal in the oil decision, but other editors disagreed.

The Milwaukee *Journal* found nothing in it forecasting the fall of the whole Recovery Act. "The glee of the opponents of the New Deal seems premature," it said.

The Washington *Daily News* saw the decision, not as a blow to the New Deal, but as a guide to it. Now that Congress and the President are about to revise the NIRA, it said, "the court in effect tells them how it can be done constitutionally."

● What the Press Thinks

But the Chicago *Journal of Commerce* thought it conceivable that the decision "may rock the foundations of NRA, AAA and all the other host of alphabetical upstarts."

And the Troy, New York, *Record* asked whether the principle of the decision "would not make unconstitutional the President's startling request that $4,000,000,000 be turned over to him, in the form of a blank check, for all sorts of relief purposes."

The New York *Herald Tribune* concluded that the decision would have a tonic effect upon every judge, legislator and citizen.

"In the skylarking days of 1933-34," it said, "the happy administrators of the New Deal brushed aside the Supreme Court as they brushed aside Congress and the Constitution. . . . The President paid perfunctory lip-service to the nation's charter of liberty. Behind the scene the whispers were loud enough to be beyond misunderstanding. Let the Supreme Court try to halt the march of the new order, according to F. D. R. An Act of Congress would be passed adding to its membership and packing it with enough Tugwellian jurists to overturn any conservative decision overnight."

The forthright eight-to-one vote of the court, it added, tossed "this revolutionary nonsense into the Potomac where it belongs. There is still a Supreme Court. It is composed of judges with . . . old-fashioned American courage and a complete loyalty to their oath of office."

College Poll Returns

Bell Interviews European Statesmen on Possibilities for Peace

Ballots are pouring in on the College Peace Poll which is being conducted by THE LITERARY DIGEST and the Association of College Editors. Some 325,000 students in 120 colleges have already received their ballots. First returns on the poll will be published in THE DIGEST and college newspapers next week.

Edward Price Bell, the distinguished journalist who interviewed statesmen in the Far East on the possibilities for peace, is continuing his work for THE DIGEST in Europe. The first of the series on European statesmen, an interview with Viscount Cecil, will appear in THE LITERARY DIGEST next week.

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New Jersey Ends Codes

Six-Day Acting Governor Erases State's Recovery Act

On the fifth day of his six-day term as Acting Governor of New Jersey, Senate President Clifford R. Powell, Republican, last week abolished the State's recovery code system. The erasure was effected without a hint to Governor-elect Harold G. Hoffman, who, of the same political persuasion, was unavailable at the time, and it came as a complete surprize to prominent figures of both parties in the capital.

Established independently of NRA, the New Jersey State Recovery Act would have terminated on July 16 in any case, unless it were ended earlier by a gubernatorial proclamation declaring that the emergency it was intended to meet had passed.

The Acting Governor did just that, and said much more he conceived to be to the point. Inasmuch as the NRA is "in full and complete force and operation," he said, the emergency upon which the State codes were based no longer exists. "There have been a lot of agencies to raise prices," he observed. "It is about time we had one for the consumer and lower prices."

● "Leeches Growing Fat"

The administration had had an annual pay-roll of $800,000, including salaries ranging from $3,000 to $12,000 for code administrators. It was estimated in Trenton that 500 had been employed under it, altho this number was challenged by Administration friends, who declared the paid personnel had less than fifty.

Industries regulated included fuel, motor-car rebuilding, cleaning and dyeing, cloaks and suits, goods-storage and moving, wholesale and retail groceries, retail lumber and lumber products, building materials, laundries, garages, structural steel and iron fabrication, retail rubber tires, retail drugs, barber-shops, beauty-shops, flat glass, and retail meats.

In an accompanying statement, Mr. Powell charged that altho there had been many honest persons in the administration, "the personnel is mainly composed of leeches who are growing fat at public expense.... Exorbitant assessments have been levied on business to provide pay-roll and fancy expense-accounts of code officials and employees. Interference with legitimate business has, in many instances, approached the racket stage. Price-fixing activities have, in many instances, proved confiscatory. The chief deterrent to business in this State," he added, "is fear of governmental interference."

The news of Mr. Powell's sudden stroke was received calmly by NRA officials in Washington, who were quoted as saying that complaints of duplications of assessments and charges on business men in New Jersey had been made, despite an agreement between the State and the NRA. General indorsement by members of the New Jersey 1935 Legislature was reported.

Pecora Named for Judgeship

Attorney Who Became National Figure in Senate Banking Inquiry Is Appointed to the New York Supreme Court Bench

Ferdinand Pecora wanted to become a minister. A native-born Sicilian whose father brought the family into the Anglican Church, Mr. Pecora to-day would probably be an Episcopalian clergyman if his family hadn't been so poor.

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Ferdinand Pecora

Instead, he appears to be about to realize an ambition of long standing. Gov. Herbert H. Lehman of New York has named him to the Supreme Court of the State.

Mr. Pecora, who has been serving on the Federal Securities and Exchange Commission, a body he helped bring into existence through his work in exposing banking malpractises in Washington, came to the United States at the age of five. He attended a church in the Chelsea district presided over by the Rev. Dr. William Seabury, father of Samuel Seabury.

For fourteen years he was a law clerk and in 1911 received his degree and started the law career which has made him a noted figure nationally as well as locally. Until Theodore Roosevelt the elder began his Bull Moose campaign in 1912 politics had no attraction for Pecora. He plunged into that campaign with all his enthusiasm, but when Roosevelt declined to run against Wilson and Hughes in 1916, Pecora became a Wilson Democrat.

He campaigned for Charles L. Craig in 1917 and, when the latter became Comptroller of New York City, Pecora accepted an inconspicuous job in the District Attorney's office and later became Assistant District Attorney and finally Acting District Attorney under Joab H. Banton.

● Foe of Milk Trust

In the latter office Mr. Pecora was prominent in the campaign to wipe out bucket-shops. He sent William H. Anderson, former head of the Anti-Saloon League, to jail for forgery. This served to remove that organization from politics in the North where Mr. Pecora's revelations resulted in the withdrawal of Rockefeller support from the League.

He accomplished his greatest service in wiping out the milk trust which had been passing on impure milk to the city's babies. This investigation reached the inner circles of Tammany Hall but Mr. Pecora was unimpressed. Among his victims was a first cousin of former Mayor James J. Walker. In twelve years in the District Attorney's office he obtained convictions in 80 per cent. of a thousand cases.

In 1929 the logical Tammany candidate for District Attorney was Mr. Pecora but for obvious reasons he was shelved and the Tiger selected a sixty-nine-year-old judge, Thomas C. T. Crain, instead. The aged prosecutor was inactive in his job, and a year later Mr. Pecora was told he was no longer wanted. He ran for the same job in 1933 on the Recovery Party ticket but was defeated.

Bainbridge Colby, Secretary of State under Wilson, recommended Mr. Pecora for the job of counsel to the Senate Committee investigating banking practises. During the course of the investigation Mr. Pecora faced J. P. Morgan, Otto H. Kahn, Charles E. Mitchell, Clarence Dillon, Richard Whitney, and many other prominent bankers and amazed them and their counsel with his mastery of the intricacies of finance.

Publicly and privately the bankers' lawyers expressed nothing but respect for the fairness of Mr. Pecora's methods. He had received $7,500 a year in the District Attorney's office. For his work in Washington he was paid $255 a month.

Much of the banking reform legislation subsequently passed by Congress has been attributed to his work as counsel.

Mr. Pecora is fifty-three years old, is married, and has one son. He is short and stocky, a forceful speaker, with wiry hair which is splashed in the front with gray. His favorite dish is supposed to be spaghetti which he enjoys best when he prepares it himself.

The Liberty League

Since its organization, the American Liberty League, "formed to defend the Constitution and to protect property rights," has tended to become more specifically an anti-Administration body. Headed by Jouett Shouse, with Alfred E. Smith, John W. Davis, and Irénée du Pont on its Executive Committee, the League at first hoped to draw conservatives of the two major political parties into its ranks.

Jouett Shouse has insisted on the non-political quality of the League, which has advocated an economy program, but contributors to the League's fund and new members give it a distinctly anti-New Deal tinge. Large contributions to the $104,830.92 receipts came from Irénée, Lammot, Archibald, Eugene, and Mrs. Pierre du Pont, and Edward F. Hutton.

Opponents of the New Deal are such new members as E. T. Weir, Pittsburgh steel manufacturer who has fought over collective bargaining; W. L. Clayton, Houston cotton man who has criticized the AAA acreage reduction; Alfred P. Sloan, of General Motors, and Pierre du Pont.

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Following Through With the News

Still at Large: Thomas H. Robinson, Jr., charged with kidnaping, was still eluding capture last week, more than three months after the abduction of Mrs. Alice Speed Stoll, young society woman of Louisville, Kentucky. She was released upon payment of $50,000 ransom.

Both the wife and father of the fugitive are in custody, charged with complicity in the kidnaping. The senior Robinson, at Nashville, Tennessee, has been released on bail pending decision on his appeal of a ruling that he be returned to Louisville to face trial with his daughter-in-law. The fugitive's wife is in jail at Louisville.

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Moved and Seconded: When Herbert Hoover was elected to the Board of Directors of the New York Life Insurance Company last week, the action was taken on motion of Alfred E. Smith, a member of the board, whom Mr. Hoover defeated for the Presidency in 1928.

• • •

Apologize and Pay: Settlement of the case of the *I'm Alone*, sunk as a rum-runner in the Gulf of Mexico in 1929 by a Coast Guard cutter, was reached last week by the American-Canadian Judicial Commission. It ruled that the sinking was illegal, and that the United States should apologize to Canada, and pay $50,666. The Canadian Government had asked $400,000.

• • •

Power Bonds: A report characterized as a final reply to critics of the Administration's power program was made public by President Roosevelt at a press conference on January 11. Prepared at the request of the President by Basil Manly, Vice Chairman of the Federal Power Commission, it stated that considerably less than 10 per cent. of the assets of the major insurance companies and less than 3 per cent. of the assets of savings banks were in utility securities, and that such holdings were higher in market value than they were in September, 1929. According to the New York *Times*, issuance of the report was seen as affirmation of the President's intention to urge Federal control over holding companies only.

• • •

SEC's New Rules: Simplification of the requirements for the registration of securities by established corporations was announced on Sunday by the Securities and Exchange Commission. The move, according to Joseph P. Kennedy, Chairman of the Commission, is expected to lead, first, to the refinancing of much of the $3,000,000,000 of callable corporation issues now outstanding and, then, to the normal sequel of new financing. The new conditions imposed apply to corporations prepared to show balance-sheets and records of earnings over a period of at least three years.

Amelia Earhart's Record Flight

The First Woman to Fly the Pacific From Hawaii to California, She Is Also the First of Either Sex to Fly It Alone

"All well," Amelia Earhart radioed repeatedly during her 2,400-mile flight from Hawaii to California last week. "All's well that ends well," she might have said as she set her monoplane down at Oakland Airport Saturday afternoon, eighteen hours and sixteen minutes after she took off from Wheeler Field, Honolulu. What she actually said was, "I'm tired."

A crowd of 10,000 met her at Oakland, cheered her roundly, thrust bouquets into her weary arms and honked automobile horns ecstatically in admiration of her feat. It was a notable one among ocean flights. Several successful flights have been made westward, from the United States to Hawaii, but there have been only two eastward hops over this route. The first was made last November in the plane commanded by Sir Charles Kingsford-Smith. Miss Earhart's was the second.

Thus she became the first woman to fly the Pacific from Hawaii to California, and the first person of either sex to fly it alone. Her record has been studded with "firsts" ever since she learned to fly, in 1918.

She was the first woman to cross the Atlantic by plane, for she accompanied Wilmer Stultz and Louis Gordon in their hop from Newfoundland to Wales in 1928. She was the first woman to fly the Atlantic alone; she piloted a plane, solo, from Newfoundland to Ireland in 1932. No other person had crossed the Atlantic by plane twice, and so that gave her another first. She was also the first woman to fly an autogyro and the first to make a non-stop solo flight across the Continent.

Miss Earhart, who was born in Atchison, Kansas, is thirty-six. She is slim and blond; many persons have commented on her resemblance to Colonel Lindbergh. She took her first flying lessons in California at the age of twenty. Before the transatlantic flights that made her world famous, and won her the acclaim of Premiers, Presidents and Princes, to say nothing of the Distinguished Flying Cross and other decorations, she had done social work for a year or two in Boston.

Some Notable Flights

May 31, 1919—First transatlantic flight completed by the U. S. Navy "NC-4," Newfoundland to Portugal.

June 14, 1919—First non-stop flight across the Atlantic from St. Johns, Newfoundland, to Clifden, Ireland, by Alcock and Brown.

May 20-21, 1927—Lindbergh flew from New York to Paris, 3,600 miles, in thirty-three and a half hours.

June 4-5, 1927—Chamberlin with Levine as passenger flew from New York to Eisleben, Germany, 3,923 miles, non-stop.

June 28-29, 1927—Maitland and Hegenberger, non-stop flight, San Francisco to Hawaii, 2,407 miles.

June 29-30, 1927—Byrd made non-stop flight, New York to Ver-sur-Mer, France, 3,477 miles.

April 12-13, 1928—Koehl and von Huenefeld, of Germany, and Fitzmaurice, of Ireland, first non-stop westward flight across the Atlantic.

May 21-June 8, 1928—First flight across the Pacific, from Oakland, California, to Brisbane, Australia, by Kingsford-Smith and Ulm, Australia, and Lyon and Warner, United States, in the "Southern Cross": 7,435 miles in 81 hours and 19 minutes flying time.

May 20, 1932—Miss Amelia Earhart flew from Newfoundland to Londonderry, Ireland, in 13 hours and 45 minutes, the first woman to make a solo flight across the Atlantic.

July 15-22, 1933—Wiley Post, in his plane "Winnie Mae," completed the first solo round-the-world flight in seven days, nineteen hours. His trip from New York to Berlin in twenty-five and three-quarter hours was the first non-stop flight between those points.

October 21-November 4, 1934—Kingsford-Smith and Taylor made the first West-to-East crossing of the Pacific, flying from Brisbane, Australia, to Oakland, California, in the "Lady Southern Cross," a distance of 7,365 miles. The total flying time was fifty-one hours.

Mexican Church Barricade

Three hundred Catholics in the Mexico City suburb of Tacubaya barricaded themselves on January 11 in the Church of the Holy Spirit and exchanged shots with a like number of police and firemen. Three persons were killed and fourteen were wounded.

The Catholics, it was said, barricaded themselves in the church because they feared that members of the radical Red Shirt organization were coming.

Early in the morning of the same day a state of unrest began when a priest, saying mass in the church, was arrested presumably on the ground that he was doing so without official sanction.

At Washington Senator Robert F. Wagner, Democrat, of New York, presented resolutions to the Senate demanding that the United States suspend trade relations with Mexico and urging tourists not to visit that country because of "atrocities" against Catholics. The resolutions were referred to the Foreign Relations Committee.

Ten Film Concerns Indicted

Ten motion-picture production and distribution companies and six of their executives were named in a Federal indictment returned in St. Louis, Missouri, on January 11, charging the companies and executives with conspiracy to violate the Sherman Anti-Trust Law by refusing to furnish films for exhibition at three St. Louis theaters. The offense alleged is a misdemeanor, punishable by a jail sentence and a fine of $5,000.

Next day, Harry M. Warner, president of Warner Brothers Pictures, Inc., one of the individuals named in the indictment, and an officer of one of the indicted concerns, declared that his companies were "innocent of the charges made against them."

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Weekly Chart of Congressional Action

(Compiled for The Literary Digest *by Congressional Intelligence, Washington, D. C.)*

EXPLANATORY NOTES

Note: Numbers which immediately follow authors' names in the chart below refer to corresponding explanatory notes below the names.

Substitute Bills.—If a later bill should supersede any listed above, it will be substituted for the one now carried in the chart. This is made necessary as subsequent bills frequently are those supported by the Administration, and become the ones finally enacted into law. Bills so superseded are generally considered as "dead" but remain on the calendar until the end of the Congress.

New Bills

Bonus.—Earliest of the four thousand bills already before the Congress came the bonus, H. R. 1 and S. 2, providing immediate payment to veterans of the face value of their adjusted service certificates. Payment is to be made in non-interest bearing United States notes issued by the Treasury, counting as lawful money. There are technical provisions for a controlled expansion of the currency.

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Independent Offices Appropriations.—The first of the annual appropriations bills (H.R. 3410) to reach the House, it calls upon the Treasury for $777,267,462 to meet the regular expenses of the White House and sundry independent executive bureaus, boards, commissions, and offices. The Veterans Administration gets $705,420,000 of the total, a higher figure than last year due to the liberalized compensation and pension legislation of last year.

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Unemployment Insurance.—House Bill 10 authorizes the Secretary of Labor to establish unemployment insurance at a minimum of $10 per week plus $3 for each dependent. Funds are to be provided by employers and the Federal Government with the Government obtaining its funds by taxing inheritances and gifts and individual and corporation incomes of $5,000 per year and over. The bill also authorizes establishment by the Secretary of Labor of other forms of social insurance, such as sickness, accident, old age and maternity.

Senate Bill 214 creates a Federal Unemployment Insurance Corporation of five members vested with the power to establish a system of unemployment insurance. The Corporation may set up State and county boards. It is to collect 4 per cent. of wages of employees, half from employers and half from employees, and to determine the amounts of the benefits.

• • •

Old-Age Pensions.—House Bill 192 requires the Federal Government to pay $40 monthly to persons 65 years of age and over whose income is less than $500 per year. A Commissioner of Old Age Pensions to be appointed by the President would administer the law. Funds would be obtained by a graduated estate tax in addition to the present levies on estates.

Senate Bill 77 appropriates $10,000,000 annually to be apportioned among the States and territories to aid in starting the pensions. It sets up a State Treasurer who would be custodian of allotments and who would make the State rules and regulations. Pensions would begin at sixty-five and in no instance would the Federal Government contribute more than one-third of the amount paid.

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Thirty-Hour Week.—During the present unemployment emergency, the House Bill 2746 would restrict working hours to six hours per day and to five days per week. Exceptions could be granted by the President. The Bill applies to trades or industries "producing, transporting, or distributing goods or services in or affecting interstate commerce," but not to farm workers.

The Senate Bill 87 prohibits shipment in interstate commerce of articles in the production of which persons worked more than six hours per day and more than five days per week. The Secretary of Labor could grant exceptions. Government purchases could not be made of such articles, nor could they be used in carrying out government contracts. Government agencies would be prohibited from making or renewing any loans to establishments failing to observe the thirty-hour week. The bill does not apply to agriculture. It is to be effective for two years.

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Home Owners' Loan Corporation.—Authorization to issue an additional $100,000,000 of bonds is given the HOLC in House Bill 2862. Senate Bill 88 extends the same privilege.

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Crop Loans.—Loans for crop production to farmers in drought-stricken areas are specified in House Bill 3247. The bill carries an authorization for $40,000,000 additional for the Farm Credit Administration. Senate Bill 25 has similar provisions.

• • •

Reduced Liquor Tax.—The internal revenue tax on distilled spirits is reduced from $2.00 to $1.15 under House Bill 33.

Farm Refinancing.—Known as the Frazier-Lemke Bill, this measure is identical in the House and Senate. It authorizes the Farm Credit Administration to refinance farm mortgages and other farm indebtedness at 1½ per cent. interest and 1½ per cent. principal per annum. The Farm Credit Administration would issue farm-loan bonds to be sold at not less than par. Unsold bonds would be turned over to the Federal Reserve Board which would give the Land Bank Commissioner Federal Reserve notes equal to the bonds up to $3,000,000,000.

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World Court Protocols.—Provide for membership of the United States in the World Court. Include a reservation clarifying the Hurst-Root formula.

TITLE, NO. AUTHOR	HOUSE: Committee Referred To	HOUSE: Committee Amendments	HOUSE: Date Rep't'd To House	HOUSE: House Floor Amendments	HOUSE: Final Action	SENATE: Committee Referred To	SENATE: Committee Amendments	SENATE: Date Rep't'd To Senate	SENATE: Senate Floor Amendments	SENATE: Final Action	CONFERENCE PRESIDENT: Conference Rep't Approved	CONFERENCE PRESIDENT: President's Signature
BONUS **Patman** (1) **Thomas** (1)	HR1 S2	Ways & Means				Finance						
(1) More than a dozen bills to provide full payment of the bonus have been introduced in the two houses. The above two bills are listed as most likely for early action.												
INDEP. OFF. APPROPRIA. **Woodrum** (2)	HR3410	Appro.	(a)	1-9	P 1-11							
(a) The House Appropriations Committee reduced the budget figure for the Securities and Exchange Commission, which is included in this bill, from $2,370,000 to $1,679,244, but $350,756 was restored, bringing the total to $2,030,000.												
UNEMPL'MT INSURANCE **Celler** (3) **Logan** (3)	HR10 S214	Labor				Judic.						
(3) Various bills on unemployment insurance are in committees but an Administration measure is expected to displace all of them, including probably the two measures listed above.												
OLD-AGE PENSIONS **Buckbee** (4) **McGill** (4)	HR192 S77	Ways & Means				Pensions						
(4) Old-age pensions would be provided under a variety of schemes in both the House and the Senate. As in the case of unemployment insurance, all of them may be superseded by a forthcoming Administration bill.												
30-HR. WEEK **Connery** (5) **Black** (5)	HR2746 S87	Labor				Judic.						
(5) Much pressure will be brought to bear on 30-hour week legislation but Administration opposition is expected to prevent passage.												
HOME LOAN **Steagall** (6) **Wagner** (6)	HR2862 S88	Bank'g				Bank'g						
(6) Two dozen or more Members of Congress have sponsored bills on this question of further funds for the Home Owners' Loan Corporation, with amounts varying from $1,000,000,000 to $4,000,000,000. Early action is anticipated on the two listed in the above chart.												
CROP LOANS **Jones** (7) **Costigan** (7)	HR3247 S25	Agri.				Agri.						
(7) Out of several crop-loan bills, first consideration is probable on these two. (There is one bill in the House to cancel past loans for crop production.)												
REDUCED LIQUOR TAX **McCormack** (8)	HR33	Ways & Means										
(8) Reduction in the liquor tax is provided also in House Bill 3035. Another measure (H.R. 2788) would reduce the tax on beer.												
FARM REFIN. **Lemke** (9) **Frazier** (9)	HR2066 S212	Agri.				Agri.						
(9) Keen pressure is promised on the subject of farm refinancing. The House found it difficult to keep this bill under control last Congress.												
WORLD COURT PROTOCOLS (10)						F. R.	(b)			1-10		
(10) The World Court protocols (which provide for membership in the Permanent Court of International Justice) have been before the Senate Committee on Foreign Relations for several years. The Committee voted, 14 to 7, to report them favorably to the Senate and presented their report January 10 with a reservation clarifying the Hurst-Root formula. The revised reservation is designed to make it conform in intent to the original Reservation 5, which was rejected by the court members. This reservation specifically forbade the court to render advisory opinions on questions in which the United States has or claims an interest. Only Senate approval is necessary, as treaty matters do not go before the House. (b) The amendment in connection with the World Court protocols is explained below in the last Explanatory Note on this page.												

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They Stand Out From the Crowd

Gladys George, who portrays *Carol Arden*, the Hollywood movie star on tour in the provinces in "Personal Appearance," one of the current New York hits, has been on the stage for many years, but this is her first lead rôle on Broadway. She has a flair for the part and even put in a few lines in the script herself in the course of rehearsals. Born in Maine of theatrical parentage, she has appeared in stock companies and toured the country in many rôles. She left Hollywood to appear in this play, which seems to be due for an interminable run. She takes pride in her own cooking, never visits a beauty-parlor, likes animals and has a pet cat.

Alfredo Valente photograph

Jean Lurçat, French modern artist, is here to supervise the execution of the stage sets and costumes he has designed for a new ballet, "The Counterfeiters." His family intended him to be a doctor, but, after his work in natural sciences at a French university, he decided to become an artist. At twenty-six he married a Russian sculptress, served throughout the war, was wounded at Verdun, and since then has traveled almost everywhere. Now forty-two, his paintings are in museums all over the world. While here he will also design costumes and sets for the new American School of the Ballet. His hobbies are travel and Afghan dogs.

Father Julius A. Nieuwland (pronounced *new'land*) possesses, to an unusual degree, the rare kind of personal courage that chemists delight to honor, and they will do so at the meeting of the American Chemical Society next April by presenting to him the William H. Nichols Medal "for basic work on synthesis from unsaturated hydrocarbons." These compounds are among the most treacherous and dangerous with which the chemist has to deal. Father Nieuwland, working in his laboratory at the University of Notre Dame, learned how to control their reactions, and began work which last year resulted in the production of synthetic rubber. He was born in Belgium fifty-six years ago. His first scientific teaching was in botany, but he early became interested in organic chemistry.

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Cartoonists

As They See Themselves

A Self-portrait for *The Literary Digest*

Gene Elderman — Saw light of day in Helena, Montana, twenty-four years ago but migrated to Kentucky at age of three. Grew up in blue grass and, at Ashland, was educated somewhat but not seriously. Blithely sallied into engineering, but Old Man Depression skidded the sliding rule. I found myself cartooning. Haven't recovered since. Went to New York to help animate the animated cartoon business but Depression tagged close behind. Found myself still a cartoonist—on free lance "coffee and cakes."

Missing too many meals, I returned home to ole Kaintuck' and horses. Discovered horses "also ran." Looked about for a new deal. Found it two years ago at the Washington *Post*, where I've been drawing a cartoon every day since. Married. Hobbies: horses, loafing. Ambition: to learn to spell. Chief aversions: kibitzers and creditors.

[*A cartoon by Mr. Elderman appears on page 38.*]

J. George Stewart, Republican of Delaware, is a newcomer to the House of Representatives, in his own phrase, "just a Congressional freshman." Forty-four years old, he is a civil engineer and contractor. He played halfback at the University of Delaware and football is still his favorite sport. He is a member of the Delaware Athletic Commission, regulating boxing and wrestling, and of the State Emergency Relief Commission. His hobbies are golf, hunting and fishing.

Drawn by S. Robles, Washington *Post*

Frank N. Belgrano, Jr., National Commander of the American Legion, is leading the fight to induce Congress to pass veterans' bonus legislation. Born in San Francisco on May 18, 1895, he entered service as a private in 1917, and was sent to Camp Zachary Taylor in Louisville, Kentucky, where he was commissioned a second lieutenant and attached to the Thirty-third Field Artillery of the Eleventh Division. But he never got to France, and is the first commander of the Legion who did not serve overseas.

As Chairman of the California State Membership Committee of the Legion he is credited with bringing in 7,700 new members. Mr. Belgrano is of medium height, rather stocky, and wears his hair in a slick pompadour.

The Very Rev. Msgr. Raymond A. Kearney (pronounced *car'ny*), of Brooklyn, becomes, at thirty-two, the first Bishop of the Roman Catholic Church born within the twentieth century. By appointment of Pope Pius XI he has been made Auxiliary Bishop of Brooklyn, having been elevated from the Chancellorship of the Diocese. The new Bishop is short, slight and sandy-haired. An authority on canonical law, he never has held a pastorate. He was born in Jersey City, the sixth son of Mr. and Mrs. Joseph P. Kearney, was graduated from Holy Cross College, and from the North American College, at Rome, and received the Doctorate of Canon Law from the Catholic University of America in 1929.

Wide World

What's the Name, Please?

Gandhi — much-jailed Indian nationalist—not *gandy*, but *gahn'-thee* (as in "'tis of *thee*").

Lurçat—see this page—*u* as in *muir: lur-sa* (as in *sat*).

Mercein — writes of Basque life — Americanized to *mare-seen'*.

Pepys — family name, the Earl of Cottenham — tho Samuel said *peeps*, correctly it is *pep'is*.

Rodzinski — orchestra conductor (page 22)—as if spelled *rud-jeen'skee*.

Squier — Aztecan romanticist — not *square*, but *squire*.

—**Frank H. Vizetelly.**

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At the Observation Post

Altho Nothing but Praise Is Due the Conduct of the Court at the Hauptmann Trial, Counsel and the Press Have Helped Make of It a Roman Holiday

On the day after the Hauptmann trial got under way a Canadian newspaper printed in flaring red ninety-six-point capitals spanning its front page this head-line: ANNE LINDBERGH ON STAND. One wonders what it will do for display-type when it announces the Day of Judgment. However, since a like perplexity will assail a majority of American newspapers let us pass it by for certain other of the head-line's implications.

This flaming banner suggests, does it not, that Canadians no less than Americans are devouring the drama at Flemington? Even its wording is significant. Very evidently Mrs. Lindbergh to our Northern neighbors is in no sense a remote figure of tragedy in another land. They think of her by her first name, more or less as a member of the family. And this effect of intimacy and intense interest is heightened by the simplicity of the head-line statement. Her mere appearance to testify was considered worthy of the best in the type-font.

Canada is close by. Perhaps, therefore, its absorption in the Lindbergh case should not be deemed unusual. But what of London? All the London papers have been devoting their main head-lines to the goings on in the little Eighteenth Century court-house of Hunterdon County, New Jersey—all but the immortal "Thunderer." And what's more, the Western Union has found it necessary, for the first time in history, to install a special teletype printer-machine connected directly with London, to expedite the press-reports of the Hauptmann story. The demand abroad is such that no time can be lost in their transmission.

● The Press Invasion

As for the demand at home, it is hardly necessary to remind the reader that more correspondents, sob-sisters, sports-writers, psychiatrists, cameramen, *etc.*, *etc.*, have converged on Flemington than represented American papers in France during the World War; or that the vast network of wires which has been strung into the little town would, if placed end to end, reach—well, make your own guess.

But possibly he has missed reading of the dozen air-planes which are using an emergency landing-field two miles distant. These air-planes are being hired by sketch-artists, film-companies and photograph-agencies. They have established schedules of twenty minutes to New York, the same to Philadelphia and two hours to Boston.

All of which is by way of emphasizing the well-known fact that the Hauptmann trial is engaging the attention of the world to a degree rarely if ever equaled by any peace-time event, to say nothing of a case in court. And naturally it is suffering the consequences. Among these is the carnival atmosphere which has enveloped the town of

DEATH VERDICT, STATE DEMAND
Through Their "Eyes" You See Trial
HAUPTMANN SEEN NEAR LINDBERGH ESTATE ON KIDNAPING DAY, NEIGHBOR, 87, TESTIFIES
SURPRISE WITNESS
ANNE LINDBERGH ON STAND
Winchell Links Ladder, Garage
Betty Gow aurait servi d'informatrice
LES TÉMOINS FÉMININS
HAUPTMANN L'ENIGMATIQUE
Anne Lindbergh's Second Crucifixion
WILENTZ STAKED ENTIRE CASE ON 'JAFSIE'
JOHN IS BRUNO HAUPTMANN, I PAID RANSOM TO HIM--JAFSIE
'They've Stolen Our Baby!' Lindy Cried
Would I Burn if the Baby Is Dead?" John Asked Dr. Condon
'I SAW HIM TWICE,'
Kidnaping Inside Job, Is Theory of Defense
MISS GOW FIRM IN HER STORY OF NIGHT OF KIDNAPPING; IDENTIFIES BABY'S CLOTHES
THE LADDER OF DEATH
Lindbergh Brands Hauptmann As Man Who Received Ransom And Believes He Kidnaped Baby
DEFENSE IS UNABLE TO SHAKE EDUCATOR
LINDY: 'IT WAS HAUPTMANN!'

Banners and head-lines portray the hippodroming of the Hauptmann trial

Flemington, where restaurants advertise "Jafsie Chops" and "Lindbergh steaks" and "Hauptmann beans"; where thousands of visitors flock of a Sunday to squeeze in and out of the court-room, pose on the judge's bench and in the jurors' box; where a locust swarm of cheap venders and fakers traffic with the mob as at a country fair.

This is hardly the kind of background one would choose for a judicial proceeding involving on the one hand as poignant a domestic tragedy as the generation affords, and its rehearsal by its victims, and on the other a possible verdict of death.

Worse still is the spirit of the hippodrome which has infected the treatment of the case in more responsible quarters. The reference here is not to the court proceedings themselves. Nothing but praise is due the quiet dignity and firm hand of the presiding judge or the business-like celerity, so far, of this example of Jersey justice. If only counsel and the press might have taken their cue from the court!

● A Roman Holiday

Instead, working more or less together, they have proceeded to make a Roman holiday of the occasion by trying Hauptmann in print. Perhaps the greater responsibility belongs to counsel, and this goes for both sides. Beginning weeks before the trial opened they yielded to the pressure for publicity by disclosing the witnesses and the evidence to be presented, criticizing one another's tactics, and in general fulminating on the guilt or innocence of the accused.

During the progress of the trial they have discussed with reporters after each session the value of the testimony given, even issuing statements on the subject. The reporters, to be sure, have importuned them to do this and the papers have avidly licked up their every syllable, but certainly there is a distinct legal ethic which forbids such discussion and lawyers should be the first to defend and live up to it.

● Clamor of the Mob

However, the newspapers, or some of them, have gone further than merely to echo counsel. They have deluged their columns with the comments of special writers, a good deal of it wholly unprivileged. A conspicuous offender in this respect has been the New York *Daily Mirror* with its comments from Walter Winchell—a frankly biased spectator and apparently proud of it.

Unfortunately Mr. Winchell and *The Mirror* can point for partial justification to the example set them not only by more conservative papers in the general news-field but, by all that's holy, to the New York *Law Journal*. Here in a recent issue we find an editorial devoted to evaluating Colonel Lindbergh's identification of Hauptmann as the man he heard cry, "Hey doctor!" *The Law Journal* even offers the defense advice on how to deal with this bit of testimony. Its editorial, of course, was picked up by the press and widely quoted.

When an august organ of the legal profession gives in thus to the clamor of the multitude what is one to say to the motley array of sports-writers, society scribblers, columnists, sob-sisters, psychiatrists and the like who simply do the same thing? And yet, as every one knows, the legal profession is alarmed over its ethics and practises. "The Hauptmann trial," in the opinion of the New Haven *Register*, "might well be the starting point for a thorough study of what is wrong." Amen!

W. M. H.

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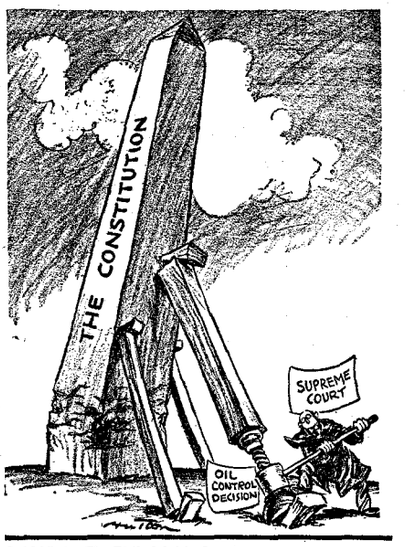
News and Comment From the National Capital

Altho the Supreme Court's Oil Decision Is Generally Regarded as a Blow to the Move to Control Bootleg Petroleum, Many Believe It Does Not Menace New Deal Legislation

Watch Your Step, Boys!

—Carmack in *The Christian Science Monitor*



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A Prop for the Monument

—Hutton in the Philadelphia *Inquirer*

The change of a single word by Congress would have been sufficient, it appears, to have averted nullification of the first New Deal legislation to go to the Supreme Court.

Had the President been "directed," rather than "authorized," to prohibit interstate shipment of "hot oil," it is felt, the court would not have held that Section 9-c of the NIRA was a delegation to the President of a legislative, rather than an administrative, function.

It seems to be generally accepted that the eight-to-one decision of the court, while an immediate blow to the effort to control shipments of bootleg oil—petroleum produced in excess of State quotas—does not menace the basic New Deal legislation as a whole.

● Showing New Dealers

In view of the comparatively isolated effect of the decision, there is much sentiment to the effect that the Supreme Court had much more than "hot oil" in mind. It is suggested that the court may have had an eye to certain side objectives. This reasoning is offered to explain how the court came so close to being unanimous for strict interpretation despite the recent indications of a five-to-four liberal majority.

The court's unwillingness to justify the special oil section of the NIRA on the liberal interpretation advanced by the lone dissenter, Justice Cardozo, is generally attributed to two considerations. One is that the court concluded that the oil section offered an example of the way not to delegate Congressional authority to the President in the emergency, and improved the opportunity to show the New Dealers how to do it before they got in too deeply.

The other consideration attributed to the court majority, especially since such a liberal as Justice Brandeis voted with the majority, is that in addition to pointing a way to the Administration to avoid such pitfalls in the future, and as to legislation that might be far more serious, the court was pointedly calling for an abler presentation of the Government's side in these important New Deal cases.

Members of the court, on more than one occasion, have displayed annoyance at the manner or lack of preparation of the representatives of the Department of Justice who have come before them. It has even been suggested that the President has been made aware in no uncertain way of the court's concern on this score.

Nothing has served better to show the court's dissatisfaction, it is suggested, than the unmistakably critical interrogation of the Government's chief representative in the oil case by Chief Justice Hughes and Justice Brandeis. It was through the highly embarrassing questions of these two members of the court that emphasis was placed on the lack of supporting information for the Government's position, and on the lack of a central publication and compilation of the thousands of executive and administrative orders which have the force of law.

It was in this connection that the court brought out the fact that four Texas oil-producers had been indicted and jailed, pending bond, on charges of conspiring to violate a "law" (administrative order) which did not exist. Justice Brandeis maneuvered the questioning around to a point where it revealed that this farce had continued to a point where the Department of Justice had prepared to defend these arrests before it discovered the non-existence of the law on which it was supposed they had been arrested.

The New Deal's consciousness of that awkward incident was reflected in the immediate reaction to the Supreme Court's "hot oil" decision. The public statement by Blackwell Smith, NRA Acting General Counsel, suggesting that this oil case was not a typical one, and included an "unfortunate administrative incident" which assuredly was not typical, was not lost on the alert observers in Washington.

● Court Presentation

It was taken to reflect the undercurrent of feeling among lawyers in the various agencies of the New Deal that the Administration has not been putting its best foot forward in the presentation of its cases to the Supreme Court.

It is understood that this is no personal criticism of Attorney General Cummings. Rather it is a protest against a continuance, in these momentous times, of the system of giving important legal posts to political appointees.

Mr. Cummings, it is protested, has been asked to appoint subordinates who are unqualified to argue cases before the Supreme Court. It is said that there are men in the Department who feel it necessary to have others prepare their cases for them.

It was partly to offset the critical attitude of the court, many think, that Mr. Cummings, an able lawyer, personally opened the Government's argument in defense of the gold legislation. A feeling exists that he is to be relieved of political pressure in making his staff appointments in the future, and that there is to be a rearrangement, not to say a shake-up, in the Attorney General's staff.

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Attorney General Cummings

The record of the Department of Justice in running down Public Enemies has done much to offset this adverse development before the Supreme Court. The Attorney General also has created additional good-will by the development of a humane attitude toward persons convicted in the Federal Courts in doubtful cases. Within the last ten days he has set in motion wheels to free from guilt two students in the District of Columbia who had been convicted in a Federal Court of arson.

DIOGENES.

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Plebiscite Day in the Saar Territory

Tho There Had Been Frequent Clashes Among Opposing Factions for Several Weeks Preceding the Balloting, the Election Itself Was Conducted in Quiet and Orderly Manner

Out of a registered vote of 539,542 in the most famous plebiscite in history the German Nazis last Sunday, in the Saar Territory, marked 476,089 in favor of return to Germany. For the status quo administration of the Saar region by the League of Nations were counted 46,513. For annexation to France the Plebiscite showed only 2,083. The voters in the Saar were declaring their wish to decide whether the Saar region, with its immense industrial equipment and 16,000,000,000 tons of unmined coal, should be returned to Germany; or should remain under government by a commission of the League of Nations; or should be annexed to France.

Altho for some weeks preceding the balloting there had been clashes and hostile demonstrations among opposing factions, at the last the people cast their votes, as has been said, "fully, freely, and peaceably."

All the tumult and shouting of the campaign days and nights had ceased as the voters, including the aged and the ill, went to the polls.

● Votes from Abroad

In addition to the resident voting population at least 55,000 Saarlanders journeyed from abroad to vote. It was estimated that they represented 10 per cent. of the total vote. They came from Germany, France, Asia, Africa, and North and South America—former Saarlanders qualified to participate in the Plebiscite because they lived in the Saar Territory on June 28, 1919, the day the Treaty of Versailles became effective. France sent a contingent of 5,000, according to the Associated Press, among whom were a dozen Foreign Legionnaires from African outposts. More than 600 checked in from the United States.

Before the Hitler Nazi Government came into control of Germany the Saar Plebiscite was considered as an issue merely between France and Germany. But since Hitler's rise to power the Plebiscite campaign became a struggle between Nazi Germans and anti-Nazi Germans. Many Saarlanders were not sympathetic with the Hitler régime, but voted for reunion with Germany as a patriotic duty.

A detachment of British troops, part of the international army which preserved peace during the Plebiscite, arriving in Saarbrücken

A group at a ballot-box in Saarbrücken rehearses arrangements for the Plebiscite

Communists and Socialists hoped for a maintenance of the status quo—continued administration of the Saar Territory by the League of Nations.

Max Braun, Socialist chief, and other members of the anti-Hitler Common Front, favoring the status quo, charged that the Plebiscite had been rendered "a farce" by connivance among the Nazis and by exercise of moral pressure both inside and outside the polling places. Braun also accused the Nazis of persecuting workers in the mining districts.

Many persons believed that Braun would be one of the refugees to France. Nazis have promised that there shall be no persecution of the opposition. They said, however, that a "truce" promised by Adolf Hitler would not include 1,200 refugees from Nazism who came to the Saar and joined in the campaign against return to Germany.

Fritz Pfordt, Saar Communist leader, declared: "The fight will go on, and we will not allow the Saar to become part of the Third Reich."

Nobody saw any chance of victory for the proposal that the Saar should be annexed to France.

The orderliness with which the Plebiscite was effected and the general improvement in Franco-German relations that preceded the balloting was considered as one of the most auspicious auguries for European peace in the new year.

It was remarked with satisfaction that there had been no need for the League's international military police force in the Saar during the Plebiscite period.

The "League Army" was made up of 1,500 British "Tommies"—two battalions of peace-time strength—1,300 Italian Carabinieri, 200 Netherlands marines and 250 Swedish Royal Guardsmen.

Maj. Gen. J. E. S. Brind, an Englishman who had served throughout the South African War and the World War, was named commander-in-chief of the international force in the Saar.

No other "Army of Occupation" ever made so pleasant an impression. Geoffrey G. Knox, President of the Saar Governing Commission, an Australian by birth and a career-man in the British diplomatic field, inspected the British, the Dutch, the Italian, and the Swedish contingents. The behavior of these foreign "friendly invaders" was described as wholly admirable. The only "grave incident" reported was when a shortage of charlotte russe was caused by the pastry appetites of Italian officers at one of Saarbrücken's leading hotels.

● "League Army" Cheered

Characteristic of the reception given the "League Army" in Saarbrücken, the capital of the Saar Territory, with a metropolitan population of 100,000 was the greeting of the British troops, the first arrivals, when Saarlander men crowded at the train windows, cheering, while small Saarland boys whistled "Tipperary" as well as they could. As a Saarbrücken correspondent of the London *Daily Telegraph* wrote, thousands of Saarlanders walked the three miles to the freight station to watch the arrival of the troops.

Before the battalion reached the center of Saarbrücken, the order was given to sling rifles, so that the troops looked as if they were returning from maneuvers. The only cold steel visible was that of the guards of the cased colors, who carried rifles with fixed bayonets. This incident did much to create friendship with the local population.

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In Foreign Fields

Tokyo—Japan was reported to be ready to offer China a new deal provided China agreed to certain conditions. The Japanese were represented as being prepared to make "certain sacrifices," including financial assistance to China. The conditions, according to a Shanghai dispatch, would include adoption of a peaceable attitude, suppression of anti-Japanese activities, and a realization that Japan's purpose was maintenance of peace in the Orient.

Meanwhile, Korekiyo Takahashi, Japan's Finance Minister, told the Cabinet that Japan's international accounts were entering a period requiring close attention. The Japanese Army must watch its expenditure in Manchukuo, he said, where the actual amount of the Army's spending is only about 80,000,000 yen a year (approximately $23,000,000), but private Japanese investments there were bringing the total outgo to 140,000,000 yen. This expenditure, he explained, increased Japan's adverse balance of international payments.

• • •

London—About 17,000,000 wage-earners, representing more than 34,000,000 persons out of a population of 45,000,000, passed under the care of the new Unemployment Assistance Board, which was organized to assume the maintenance of every able-bodied wage-earner in the country, whether insured or not, who normally earned less than $25 a week. The board commenced work with a government deposit in the Bank of England of $25,000,000. The bulk of the money was a bookkeeping transfer of funds formerly handled by local authorities. The additional cost to the National Government, according to official estimates, would be not less than $40,000,000 annually. The regulations provided that those drawing relief must make an honest effort to get work.

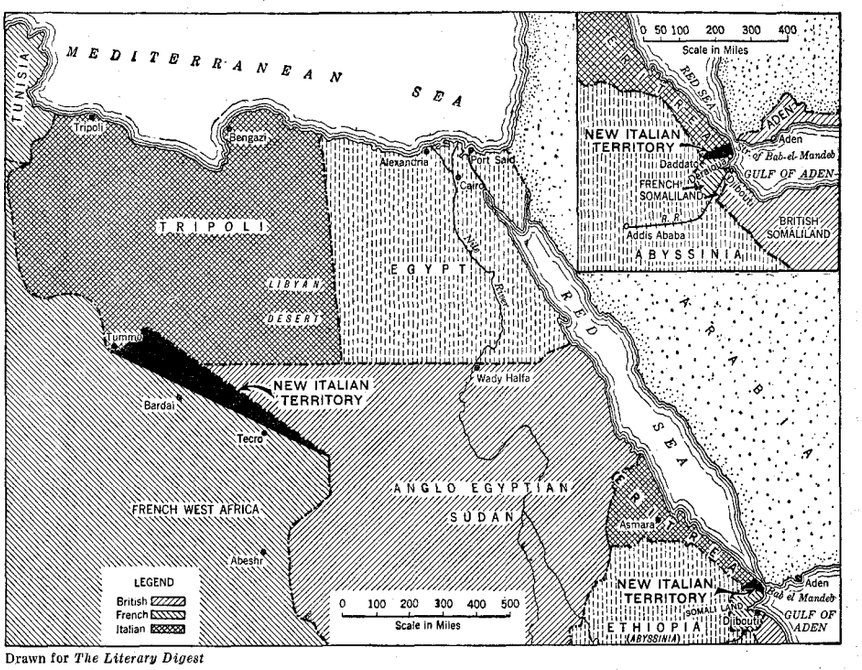
Frederick Head, an unemployed father of five children, was sentenced to one month at hard labor for refusing to learn a trade in the government training-classes. It was the first case under the new act. Authorities testified that Head had been drawing about $8.50 a week in relief since 1923. Head protested that the trade-school was "a waste of time."

• • •

Paris—Spanish royalist reports that an "amicable separation" of former King Alfonso XIII and Queen Victoria of Spain was being arranged in London were denied at Rome where Alfonso is spending the winter. The Queen wanted a separation, it was said, because Alfonso's expenses were greater than hers, and she desired to preserve her fortune. A Madrid monarchist organ, *La Tierra*, asserted that Alfonso was making every effort to prevent separation or divorce not only from a desire to avoid scandal, but because he wished to avoid returning the millions of pesetas he would have to turn over to his wife.

Franco-Italian Accord in Africa

Twenty Years After Versailles, Italy Receives Her Promised Portion of North African Territory, Ending Long Dispute with France



Drawn for *The Literary Digest*

The map shows Italy's new possessions in North Africa

Twenty years ago—to be precise, on April 26, 1915—the Treaty of London was concluded among Italy, Britain, France, and Russia, under which Italy entered the World War on the side of the Allies. Signing for Great Britain was Sir Edward Grey; for France, Aristide Briand; for Italy, Baron Sidney Sonnino, and for Russia, Serghei Dmitrievich Sazanoff. Each was the Foreign Minister of his country at the time and all of them have since died.

In addition to concessions in Europe, in the Adriatic, and in the Ægean, Italy was to strengthen her hold on Libya, in North Africa. In the event of an increase of French and British possessions at the expense of Germany, Italy was to have the right of enlarging hers.

• Territory Yielded

But it was only last week, according to agreements reached between Pierre Laval, France's Foreign Minister, and Premier Benito Mussolini at Rome, that there ended the dispute between France and Italy over what Italy should receive. It had been the cause of Franco-Italian friction ever since the Peace Conference. Italy seemed always to demand more than France would yield.

At this conference between Laval and Mussolini which was considered to have ironed out all Franco-Italian differences, France ceded to Italy 44,500 square miles south of Italy's Libyan Colony.

More important, however, it was said, was France's yielding to Italy a small coastal strip south of Italian Eritrea, facing the Strait of Bab-el-Mandeb. The Libyan concession, in extent as large as New York State, was described as only desert.

Another agreement was designed to promote the trade of France and Italy with their colonial possessions and it included a provision that Italy should have a share in the railway from Addis Ababa, Capital of Abyssinia, to Jibuti, French Somaliland.

• Shore-Line for Italy

The territory given to Eritrea is small but includes a shore-line for Italy on the Gulf of Aden. The share in the French railway to Addis Ababa, it was said, would enable Italy to offer stronger competition to Japan, which has been seeking political and commercial advancement in Abyssinia.

A delicate point in the conversations was the question of the citizenship rights of nearly 100,000 Italian Nationals, forming a large part of the population of Tunis, French Protectorate in North Africa.

Some disappointment was felt in Italian circles when it became known that the agreement of 1896 concerning Italian residents in Tunis would be continued in substantially its present form until 1965.

Persons born of Italian parents before that date will be Italians, but those born between 1945 and 1965 will have the right to choose French citizenship.

French territorial concessions in Africa followed the pledges made by Italy to France in Europe, which were noted in last week's issue of THE LITERARY DIGEST. With reference to the agreement concerning Austria and Central Europe, said the official communiqué, France and Italy declared themselves in accord in recommending in those States most interested the conclusion of a pact of non-interference in their respective internal affairs.

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Earth's Strange Bath of Cosmic Radiation

Twenty-Five-Year Studies of Cosmic Bombardment Have Revealed Its Intensity, Penetration, and Destructiveness, But the Source Is a Greater Mystery Than Ever

Perching precariously in the fragile basket of a swaying balloon, one afternoon in December nearly a quarter of a century ago, a Swiss physicist named Albert Gockel launched one of the greatest hunts for scientific knowledge of modern times. He had carried a gold-leaf electroscope nearly three miles above Zurich to test its rate of discharge at high altitudes.

Calculations had indicated that at something less than a mile the instrument should not discharge at all, for at that height the effect of stray radioactive material in the earth would disappear.

To his astonishment the electroscope discharged faster at three miles than it did at the surface of the earth. It was the first clue to the puzzle of the cosmic rays, which in the twenty-five years since his flight have sent scientists all over the earth in search of more information, and even into the stratosphere.

● Electrical Bombing

Countless thousands of dollars have been spent on the quest. Hundreds of physicists and scores of mountain-climbers and balloonists have aided it.

Gockel himself died obscurely in 1927 at Freiburg, Switzerland, already forgotten in the flood of great names that had become associated with the radiation he had discovered, but not before it had been learned that the earth and all it contains is continually being subjected to a shattering, electrifying bombardment from outer space—a hail of radiation so intense that it can pass through many feet of lead undiminished, smash the hearts of atoms, transmute one element into another, and possibly affect even the course of life.

Some of the confusion about cosmic-ray discoveries recently has begun to melt away. A few days ago Dr. Robert A. Millikan, Nobel prize-winner, a leader in cosmic-ray research since about 1922 and head of the Norman Bridge Laboratory of Physics of the California Institute of Physics, reported to the American Association for the Advancement of Science that these facts had been established so clearly there is no longer any substantial controversy about them:

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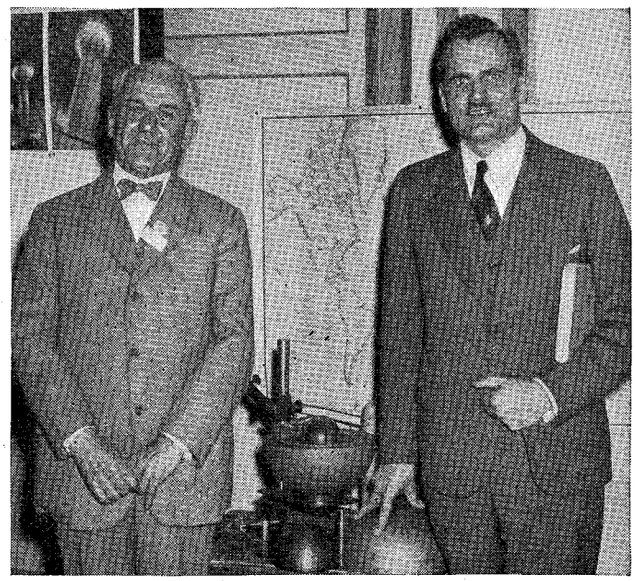
A physicist measuring cosmic rays amid snow atop Mt. Cook, New Zealand, one of the many hundred world-wide studies



Acme

Friendly antagonists over cosmic rays: Dr. Robert A. Millikan, *left*, and Dr. Arthur H. Compton. Between them is a recording cosmic-ray meter with part of its heavy metal sheathing removed

1. That the cosmic rays have tremendous penetrating power, varying from six to 100 times that of gamma rays from radioactive elements, the most penetrating radiation previously known. Gamma rays will penetrate about five feet of water or six inches of lead.

2. That the rays do not come from the upper atmosphere, or even from the sun or other stars, but from *beyond the Milky Way*.

3. That the force of the cosmic-ray particles is enormous; they have energies of at least six billion, and possibly more than ten billion, electron-volts. An electron-volt is the energy represented by a single electron moving with a force of one volt. The "light bullets" (photons) emitted by an electric lamp represent energies of about two electron-volts; X-rays from 20,000 to 100,000, and gamma rays from radium about two and a half million electron-volts.

4. That the rays constitute a "terrible bombardment," destructive to matter, to which the earth and everything on it is being continuously subjected "by some unseen, universally distributed but largely unknown agency."

He explained that when a cosmic ray strikes the nucleus of an atom it shatters it, knocking out electrons, protons, neutrons, or positrons, the "stuffing" from which, apparently, all matter is made. Sometimes showers of minute "building-stones" are shot out of the struck atom.

As many as fifteen positrons (positive electrons) and seven negative electrons have been observed to emerge from a single atom of lead after one of these encounters.

This disintegrating action, of course, changes the struck atom into an atom of some other element. The transmutation for which the alchemists sought so long was thus going on spontaneously all the time, under their noses. For that matter the noses themselves, and also the elements of our own bodies, are undergoing similar transformation, with results that can not at present be determined.

Fortunately for us, the process is slow—relatively few atoms are struck squarely enough to produce an atomic change.

However assured the physicists may be on these points, others are unsettled.

● Unsettled Questions

For example, what are the cosmic rays made of? One of the major scientific quarrels of the last decade has revolved around this point, led on the one hand by Doctor Millikan, and on the other by Dr. Arthur H. Compton, also a Nobel prize-winner and Professor of Physics at the University of Chicago.

Doctor Compton has maintained that the rays are composed of minute charged particles, possibly high-speed electrons, positrons, or protons. Doctor Millikan's view has been that they are mostly made up of photons, or light bullets, similar to those of light, X-rays, and gamma rays.

Doctor Millikan now concedes that the

(Continued on page 39)

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Science Snap-Shots

Healthiest Cities: Detroit is the healthiest city in the United States, with a death rate of 7.3 a thousand, according to Census Bureau figures. The second healthiest city is South Bend, Indiana, with a death rate of 7.6. Yonkers, New York, adjacent on the north to New York City, is third, with a rate of 7.8. New York has a death rate of 10.3, and the average for eighty-five cities covered in the report is 11.3.

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Astronomy in Industry: Analysis of the stars and the troubles of manufacturers may seem unrelated, but science repeatedly has shown that knowledge obtained in one field may be useful in another. At the historic Allegheny Observatory, Pittsburgh, for instance, Dr. Keivin Burns, expert in astronomical spectroscopy, has recently been requested by manufacturers to use the observatory's huge spectrograph to test materials for troublesome impurities. The large instrument, developed for studies of the composition of stars and nebulæ, enables the astronomer to detect smaller amounts of impurities than can be discovered with ordinary spectrographs.

• • •

Pigs and Singers: Whether or not two pigs under a gate are twice as noisy as one pig, twenty-seven singers are only twice as loud as one singer, it was reported recently to the Acoustical Society of America by John Redfield, of Fairfield, Connecticut. The reason is that the human ear does not hear the loudness of noises in proportion to the sound energy, but approximately in proportion to the logarithm of the energy. Sound-measuring instruments show, according to Dr. E. E. Free, of New York, that as a matter of fact two equally vociferous pigs make only about 20 per cent. more noise than one pig.

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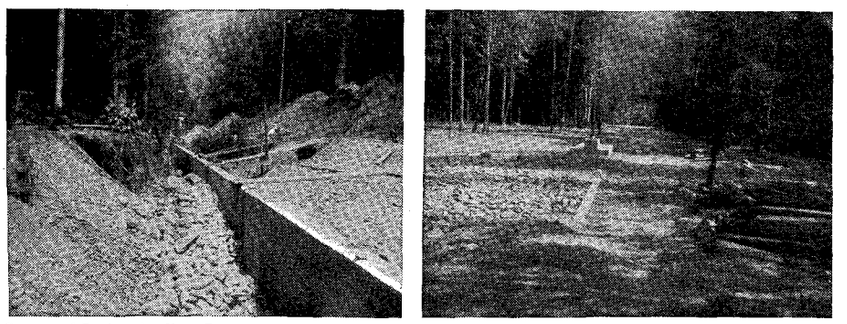
Diet and Vision: The depression years have brought about a steady and serious increase in defective eyesight among children, Dr. E. M. Josephine, of New York, recently reported in *The Eye, Ear, Nose and Throat Monthly*. Statistical studies show that myopia ("near-sightedness") is the commonest of the eye-afflictions of childhood apparently brought on by the depression. Doctor Josephine believes the disease is a result of disturbance of the endocrine glands, aggravated by poor diet.

• • •

Vitamin A Shortens Colds: Vitamin A has little or no effect in preventing colds, but its use produces a definite reduction of five to eleven days, in the duration of the illness, Hazel C. Cameron, research specialist in nutrition at West Virginia University, reported recently to the American Association for the Advancement of Science. Miss Cameron experimented with 250 student volunteers, giving Vitamin A in the form of cod-liver oil, halibut-liver oil, carotine solution and cod-liver oil tablets.

Down to Bed-Rock for Water

Harrisonburg, Virginia, Builds a Unique Underground Reservoir System Which Soon May Be Duplicated Elsewhere in America



Courtesy of *Engineering News-Record*

The building of an underground reservoir: *Left*, filling in the up-stream side of the dam with coarse stone; *right*, the finished reservoir, showing a part of the dam in the foreground

When drought threatened their surface water-supply a year or so ago the people of Harrisonburg, Virginia, went into the earth for a new one. This community (population 7,232) now has in operation one of the most unusual water-supplies in the country, an artificial underground reservoir fed by twelve subterranean streams which deliver an all-year supply ample for the city for years to come.

Allen B. McDaniel, consulting engineer of Washington, D. C., devised the plan when he discovered, as a result of surveys, that construction of new surface dams would be impracticable.

Across the channel of the Dry River, which threatened to live up to its name, he found evidence of many subterranean streams, running over a limestone bed-rock about fifteen feet beneath the surface. Considering how fine it would be if those streams were running above ground, he hit upon the simple scheme of impounding them with an underground dam.

The city council approved of the project in November, 1933, and applied for PWA funds, but these were indefinitely held up. Money for the construction finally was advanced by local banks last spring, through an agreement that the work would be done entirely by local labor, under the supervision of the city engineer.

Building Costs Low

Mr. McDaniel recently reported, in *Engineering News-Record*, that the total cost of the project was $37,567, for a water-works system capable of delivering 950,000 gallons a day. Aside from its low cost, the subterranean reservoir has the advantage of dependability. Its flow varies little, while the surface supply fluctuates considerably between winter and summer seasons.

The major operation consisted of digging a trench 1,000 feet long across the valley at right angles to the flow of the underground streams. A full dozen strongly-flowing ones were encountered. The incoming water was pumped out of the trench while a concrete wall, from bed-rock to near the ground-level, was being poured.

The construction was inexpensive as compared with a surface dam because only a thin wall was required. It is two feet thick at the bottom, twelve inches at the top, and a fifth of a mile long.

On the up-stream side, at the toe of the dam, was laid a perforated concrete pipe, with T's at the mouths of the underground streams. This pipe empties into a "collecting gallery," a large chamber from which the water flows by gravity to the city intake, a quarter of a mile down the valley. From there it passes through cast-iron mains into the city, fifteen miles eastward across the bed of the Dry River.

Mr. McDaniel believes other localities may solve their water problems inexpensively by making use of similar underground streams. He has reported that governmental and city officials, especially in the Middle West, are interested.

Copan to Be Restored

The ancient Mayan city of Copan, in Western Honduras near the Guatemala border, will be restored to its former splendor, as far as architecture goes, in the near future. Work will begin at once, it was announced last week by Julius G. Lay, retiring United States Minister to Honduras. The restoration will be made by the Carnegie Institution of Washington, cooperating with the Government of Honduras.

Copan was one of the largest and most ancient cities of the Mayas, whose civilization was among the finest developed on the American Continent before the coming of Columbus. It was a great center of American culture in the early years of the Christian era in the Old World. In it was found the famous astronomical stone which revealed that the Mayas had as great a knowledge of astronomy as any people in existence at that time.

The city was abandoned to the jungle about 1,000 years ago, and now lies well off the beaten track. Until about a year ago to reach it required a journey of two weeks by mule over the mountains. Now it is two hours by plane from Tegucigalpa.

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Turning Spotlight on the "Forgotten Child"

With Nearly One-Sixth of the Nation's Child Population in Families Dependent Upon Emergency Relief, Welfare Agencies Call for a Solution of Their Grave Problem

Cradle and nursery and those who, like *Topsy*, "just growed," are under the nation's spotlight, and the picture tugs at the heart-strings of child-welfare workers. There are, according to official count, 7,400,000 children under sixteen, or about one-sixth of the total child population, in families dependent on emergency relief. Three million boys and girls are out of school and unemployed. Thousands, helpless and homeless, are on the march.

Drifters all, they are the ones for whom official Washington and child-welfare agencies the country over have expressed the greatest concern. Much has been done in reopening schools, in establishing 2,000 FERA nursery schools, and in providing work and educational facilities for the CCC. Much more remains to be accomplished if youth is to be properly prepared for the great trial of initiative and ambition to come when civilization moves further into its new field of endeavor.

The problem was laid before the recent National Conference on the 1935 Needs of Children held under the auspices of *The Parents' Magazine* in New York City. Nearly a thousand representatives of national, State, and local child-welfare organizations attended. Before them Katharine F. Lenroot, Chief of the United States Children's Bureau, made one of her first public appearances since taking office.

● Plight of Children

Speaking of the 7,400,000 children thrown more or less on their own feeble resources, she asserted their right to expect, during 1935, that steady progress would be made toward a more widely diffused prosperity, and toward a greater security through provisions against unemployment, old age, and hazards of life.

Wide World

Homeless youths who drift into New York from various parts of the country playing games in the recreation rooms of the Children's Aid Society's home for newsboys

Wide World

Wandering boys getting ready for bed at a Salvation Army Shelter at East St. Louis

"With the average amount of relief per family per month as low as $8.23 in the State with the lowest average, and reaching only $42.36 in the State with the highest average, it is obvious," she said, "that the health and welfare of these children are in serious jeopardy. These children have a right to expect that Federal, State, and community relief policies of 1935 will provide more adequately for essential items in the family budget."

Of the millions of young dependents, more than 700,000, said Miss Lenroot, are children whose fathers are dead, or whose parents are separated. "Forty-five States," she reported, "have provided for widowed and dependent mothers with children, but less than half of the counties in the United States authorized to appropriate money for this purpose are actually doing so. The children in this relief group must be absorbed into the greater security of the mothers' pension system as rapidly as possible."

● Work for Youth

The picture is relieved by the successful efforts to provide for youth with the CCC, and by the transient-service programs developed by the FERA. Miss Grace Abbott, former head of the Children's Bureau, now Professor of Public Welfare in the School of Social Service of the University of Chicago, also raised her voice for "the forgotten child." Since she was kept home by illness, her address was read by Mrs. Clara Savage Littledale, Editor of *The Parents' Magazine*.

Miss Abbott stressed that juvenile delinquency has become a grave rural problem, and that the rural infant death-rate is becoming larger than the urban. "To take rural children out of the 'forgotten' category," said Miss Abbott's paper, "we should ask Congress to enact, in 1935, another Federal law for the promotion of maternal and infant health, that Federal grants in aid of education and mothers' pensions should be made. In the States much needed State and county-wide services should be initiated or strengthened."

● Child Labor-Law Plea

Again child-welfare workers heard a plea for ratification of the Federal child-labor amendment, which needs sixteen more State indorsements to become part of the Constitution. Dr. John L. Rice, New York City Health Commissioner, put the question:

"Of what use are all our efforts to preserve the health of children through their early years if, during the important adolescent period, they are suddenly thrust from school life into an eight-hour day of confining work in factory, office or store?

"Temporarily, under the codes, children are not working in our industrial establishments under sixteen years, and are not working in especially hazardous occupations under eighteen years. The purpose of this amendment is to enable Congress to pass a law which will make permanent these child-labor standards."

Doctor Rice disposed of the impression that the amendment would prohibit a child from helping his parents with the chores by saying, "this is absolutely not the aim of the amendment," and by quoting Senator Wagner as having said that Congress would pass child-labor laws which would

(Continued on page 25)

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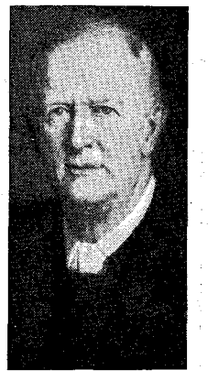
New Move for Screen Reform

Motion Picture Foundation Will Participate in Producing Films; Would Check Indecency by Example, Rather Than Coercion

Albert F. Gilmore

Dr. William B. Millar

Dr. Glenn Frank



Dr. Endicott Peabody

The great crusade against indecency, in whatever form it is exhibited, is apparently gaining momentum with each passing week. New lines of attack, directed against Hollywood especially, have been opened up. Reform of the screen by example rather than by coercion is the aim of the recently-formed Motion Picture Foundation of the United States of America, the advisory committee of which consists of Catholics, Protestants, and Jews.

The list includes educators, editors, publishers, clergymen, manufacturers, lawyers, business men, authors, lecturers and real-estate men, but not a single "professional reformer." Rather than wait for the motion-picture industry to follow its advice, the Foundation will participate actively in the production of pictures, in which it will be aided by technical advisers from all branches of the industry.

● Boycott Continued

Meanwhile, the Catholic Legion of Decency, which has received support from Protestants, is continuing its boycott of all pictures smacking of obscenity and immorality, and has begun an attack on nudism, the latest so-called health fad which, so far, only the fear of frost-bite has been able to nip. A bill to make physical exposure involved in the nudist cult a misdemeanor is to be introduced into the New York Legislature. The bill was fathered by the Legion's advisory committee, headed by Alfred E. Smith. Almost within the same hour an Austrian motion-picture in which the heroine appears in one scene unclad was held up by Treasury Department officials.

A bill to establish stricter film censorship has been introduced into the New York Legislature by Senator John T. McCall. It would require cooperation between the director of censorship and religious groups to prevent distribution of pictures "that offend morality or decency," prescribe forms of contracts between distributors and exhibitors, and set up a system where the exhibitor would get full information on each picture in advance of showing.

Still another line of attack has been advocated by Dr. Guy Emery Shipler, Editor of *The Churchman*, liberal Episcopal weekly, who, opposed to all forms of censorship, would "clean up the motion-picture industry from within" by Federal legislation designed to prohibit "block-booking and blind selling" of films.

● Shipler's Statement

Tho he had been one of the first, if not the first, to beard the motion-picture magnates, Doctor Shipler said "the Roman Catholic group deserves much credit for what it has accomplished so far. . . . It is results that count, and the Roman organization is the first that has been able to throw a scare into Hollywood."

Getting off to a running start, the Motion Picture Foundation of the United States of America was organized with Dr. Endicott Peabody, Headmaster of the Groton School, as President, and Dr. Glenn Frank, President of the University of Wisconsin, and Albert F. Gilmore, Trustee of the Christian Science Publishing Society, on its Advisory Committee. Other leading citizens from fourteen States were added to this committee. They include some of the best-known names in the country. Dr. William B. Millar, former Secretary of the Greater New York Federation of Churches, is Secretary of the Foundation.

Its picture-production program includes family pictures for use at week-end family shows; historical productions, showing the development of States and cities and emphasizing the democratic basis on which the country has made its progress; instructional pictures, as an aid to teaching; music in pictures, to increase understanding and appreciation of fine music, and pictures on international good-will and friendship, showing the necessity for world unity and international cooperation. No attempt at censorship will be made. The creed of the Foundation is "example by performance." In addition, the Foundation will "sponsor motion-pictures made by any producer which meet the requirements of the formula approved by the Foundation."

Plight of Mexican Catholics

Apostolic Delegate Denounces "Materialistic" Doctrines in Schools

Archbishop Leopoldo Ruiz y Flores, Apostolic Delegate to Mexico, has sent a letter warning all Mexican Catholics that the Church forbids parents to send their children to schools in which "materialistic" or socialistic doctrines are taught. The Archbishop is living in exile in San Antonio, Texas. He said he had issued no decree threatening excommunication of parents who did send their children to such schools, which, it has been reported, are the only ones permitted by the Mexican Government.

Meanwhile, disturbances between Catholics and members of the Red Shirts, a revolutionary organization, have been reported. In one instance, according to an Associated Press dispatch, five Catholics were shot.

Aroused by the plight of the Mexican Catholics, Representative John P. Higgins of Massachusetts has introduced a resolution calling for the withdrawal of diplomatic recognition of Mexico, and demanding the removal of Ambassador Josephus Daniels for having "tacitly approved" the policies of the Mexican Government. Secretary of State Cordell Hull has announced, however, that a satisfactory explanation of his speech has been received from Ambassador Daniels, and that "it is not within the province of this Government to intervene in the situation in Mexico.

"The procedure you suggest," he wrote to Representative Higgins, "would be tantamount to an effort to determine the course to be taken by another nation, and would almost certainly provoke such resentment as to defeat the purpose which you wish to achieve."

Dukhobortsi "Go Modern"

Mirrors, movie magazines, and combs have cured, temporarily, at least, a tendency to nudism among a number of Dukhobortsi girls, prison guests of the British Columbia Government. The girls were imprisoned at Piers Island, near Victoria, British Columbia, because they and their elders indulged in a naked parade two years ago at Nelson, in the same Province. The parade was in protest by one sect of the Dukhobortsi against another, and all Canada was stirred by the public exhibition.

Now the girls at Piers Island are reported going modern. Credit for the transformation goes to the British Columbia authorities, who, according to a dispatch to the New York *Times*, decided to place movie magazines and various combs at the disposal of the girls. Several days passed without comb or magazine being touched. At last, however, the magazines began to disappear. The girls had succumbed to the temptation to imitate the appearance of the beauties depicted in the magazines.

They told the matron they had no intention of reverting to former custom.

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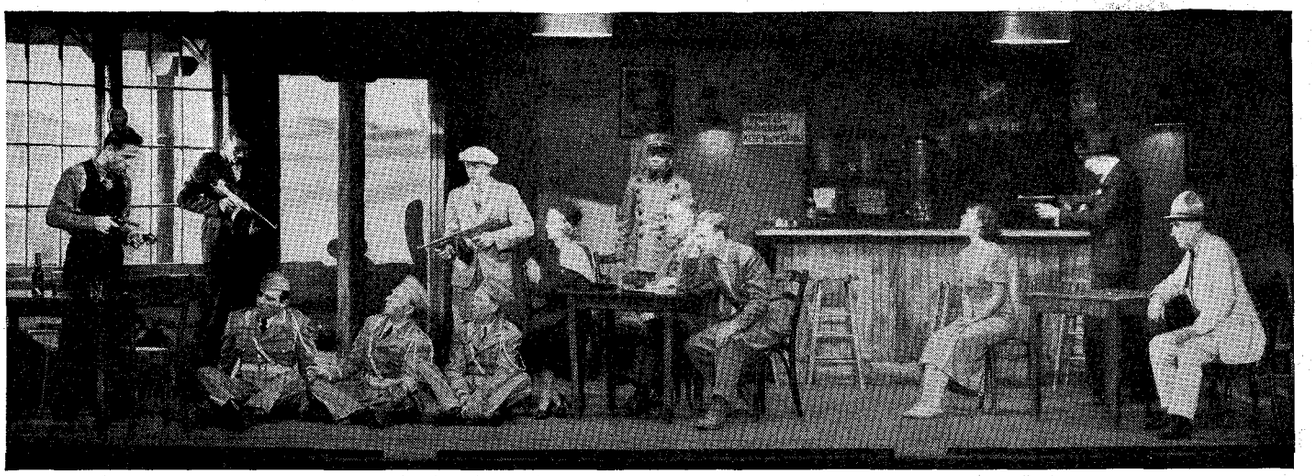
The Petrified Novelist

Leslie Howard, in "The Petrified Forest," Once More Certifies to the Living Theater That He Is the Most Winning and Most Adaptable Actor of These Times



Vandamm Studio

The high tide of melodrama comes near the end of "The Petrified Forest" after comedy has had its place

Leslie Howard's temporary release from the bondage of Hollywood is accomplished in "The Petrified Forest," an attractive acting-piece in which the most winning actor of his time returns to Broadway undamaged by toil in the salt-mines of the cinema capital. This time he performs in a tarantula-strewn combination lunch-room and filling-station nestled squalidly in an Eastern corner of the Arizona Desert. Here the white ties and tail-coats of Mr. Howard's customary drawing-rooms are discarded for hiking-boots, a knapsack, and penury.

A wistful defeatist in the rôle, thumbing his way across the Continent, purposeless, with none to tie him or stay him, he finds romance and ruin in the tawdry shack which Robert Sherwood has provided for him and a distinguished acting company.

● Likable Preachment

The new play for Mr. Howard is a frequently strange, but always likable, preachment, with Mr. Howard and half-a-dozen competents taking the place of Mr. Sherwood in making the observations which tuck the jitters of this era into their proper pigeon-holes. Mr. Howard, as *Alan Squier*, a New England-born novelist, comes upon the sad realization that he is no major artist, boxes up religion, morality, ethics, romance, the American Legion, machine-gun-swinging killers, even thievery and mass murder—and, with the expert help of the others in the cast, does that boxing up tidily and neatly.

"The Petrified Forest" is a smooth and glossy entertainment, with but one minute and conspicuously short-lived lapse from perfection. Even by now that may have been corrected, for the First Night audience reaction to it was such as to signal its flawing presence. There would be no point in elaborating on the one false scene, and it scarcely is important enough to mar enjoyment of the play as a whole.

The Ten Best Plays

(The plays in this list are the choice of this department, and are not necessarily the consensus. As more plays are produced the list will be revised. The order of listing is alphabetical, and has no relation to merit.)

"Anything Goes!" a brisk, impious musical comedy rout with Ethel Merman, William Gaxton, and Victor Moore as crooners and clowns. At the Alvin Theater.

"Life Begins at 8:40," another large and scuffling musical circus boasting such matters as opulent scenery, acres of girls, and Bert Lahr. At the Winter Garden.

"Merrily We Roll Along," a play in reverse, proving that boyhood ideals in 1916 and manhood's riches in 1934 are two pathetically different things. At the Music Box Theater.

"Personal Appearance," an outrageous and uproarious arraignment of film stars who make personal-appearance tours. At Henry Miller's Theater.

"Rain From Heaven," the most literate and intelligent treatment of the Nazi persecution theme yet made by the theater. Excellent performances sharpen its value. At the Golden Theater.

"The Children's Hour," affecting, sturdily honest play about a demoniac child who destroys two schoolmistresses with appalling falsehoods. At Maxine Elliott's Theater.

"The Distaff Side," John Van Druten's adroit and delicious proof that a play requires no plot if it is well-written and acted—which this is. At the Longacre Theater.

"The Farmer Takes a Wife," a completely satisfying folk-play, rich in the details of life on the Erie Canal in the 'fifties. At the 46th Street Theater.

"The Petrified Forest," Leslie Howard returns to the theater in a philosophical autopsy of this generation, brilliantly written and played. At the Broadhurst Theater.

"Valley Forge," Maxwell Anderson's lyric, and bitter, study of the causes and deceptions of the American Revolution. At the Guild Theater.

W.B.

Mr. Sherwood's principal figurines are the defeated novelist, a frustrated desert-maid, an inarticulate man-killer, a sort of Dillinger of the waste-lands, and a garrulous old fellow who pioneered the desert fifty-six years earlier. These are his mouthpieces, and through them he says a few things about three generations which ought long ago to have been said as eloquently and passionately.

The three are those who were young during the World War, those who are young to-day, and the infants of to-day who will be young adults to-morrow. Each of these mouthpieces contributes forcefully to the sum of Mr. Sherwood's penetrating, often acidulous, observations and each, in doing it, brings forth from the actor in the rôle a high level of performance.

● Studied Precision

Squier comes upon the *Black Mesa Bar B-Q* late in the afternoon. Studiedly, with infinite precision, he orders a meal and sits to it. The old desert-rat amuses him with tales of the olden day when Billy the Kid shot from the hip and from whim, and when men had to be hardy. His respect for pistol-bearing killers still is fresh and lively, and has just been transferred to an Oklahoma desperado, *Duke Mantee*, an icy murderer for whose release from a jail six had been slain that day by the *Duke's* aids. The old man goes off mumbling and *Gabrielle*, his granddaughter, sees to serving the meal. She is a strange child, daughter of an American soldier and a French woman. Her mother had not been able to abide the desert, and had returned to France. Her heritage keeps calling her away, and there is no possible escape for her.

Squier philosophizes with her, encourages her, and she falls in love with him. An impulsive, profane youngster, used to men's ways and talk, she bluntly offers herself, and

(Continued on page 22)

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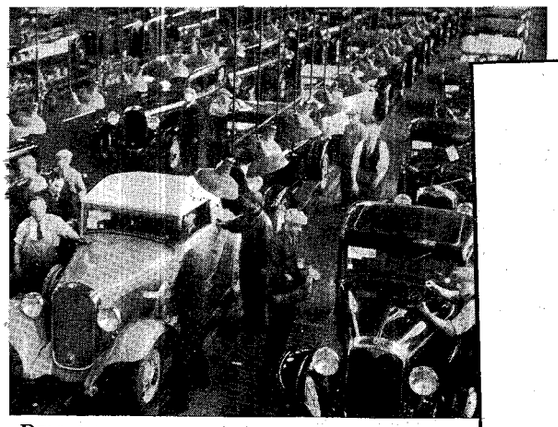

DETROIT GOT NEWS in busy season, turning out thousands of new high-speed motors. Executives, Engineers, Mechanics welcomed new oil.

NATION ACCLAIMS NEW OIL

DETROIT: It suited Automobile Engineers to a "T".

NEW YORK: Sales figures piled up . . . surprised veteran oil men.

THE NATION: Motorists wrote letters, phoned, went out of their way to buy it.

(*Above*) DR. RATHER, research engineer, explains the Socony-Vacuum Clearosol Process. (*Below*) NEW OIL gets 100,000-mile road test.

PAULSBORO, N. J. Announ ing new process at 900-ac Socony-Vacuum Refiner

How the new Socony-Vacuum Clearosol Process revolutionized oil refining

TO PAULSBORO, small New Jersey oil town, went 70 newshawks, cameramen, editors, and Socony-Vacuum officials. Through a new refining unit they walked . . . listened to Dr. Rather, research engineer, tell about new discovery in oil refining.

DETROIT: Engineers of big auto companies were called upon. They listened, ran tests, and said, "This oil is just what we've been waiting for." "It looks like the answer to our problem."

NOVEMBER 6th. Magazines, newspapers announced this new kind of oil.

Mobiloil dealers reported a busy day. Thousands of motorists they had never seen before stopped in to ask for "the new Mobiloil Arctic."

NEW YORK: Veteran oil men had never seen a new oil so enthusiastically received.

Socony-Vacuum Clearosol Process

This new process dissolves out non-lubricating elements in oil—much as soap and water wash away dirt from hands. Actually—clean, pure lubricant comes out one way . . . tar, gum, sludge pass out another.

All oil is refined to remove the natural impurities . . . but this is a new, more efficient way of doing it.

Mobiloil Arctic flows freely in coldest weather, lubricates instantly and prevents "dry" starts. Yet when it meets the extreme of terrific engine heat, it protects fully . . . does not thin out dangerously. Gives far more mileage than oils made the old way.

Look for the sign with the Red Gargoyle —or the Flying Red Horse. Then refill with the new Mobiloil Arctic.

New Mobiloil Arctic is available in two grades —a 20-W oil, and Mobiloil Arctic Special, a 10-W oil. Your Mobiloil dealer will recommend the proper grade.

SOCONY-VACUUM OIL COMPANY, INCORPORATED

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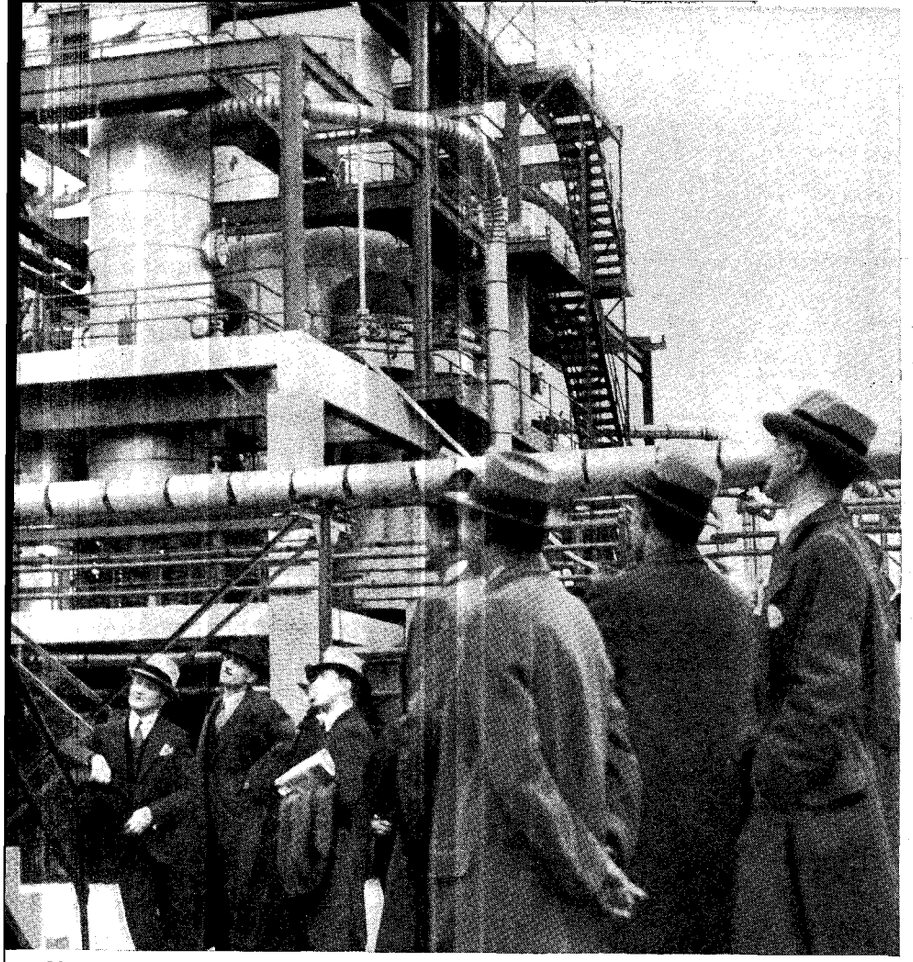
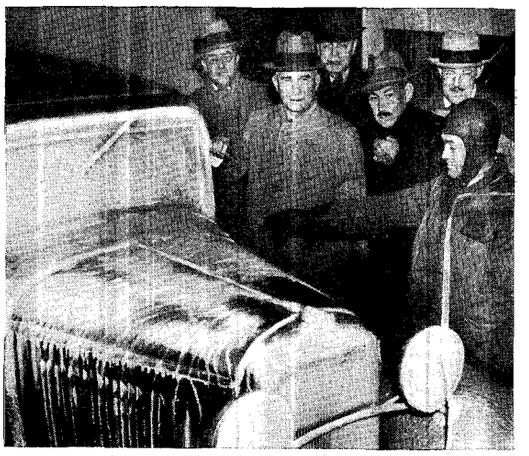
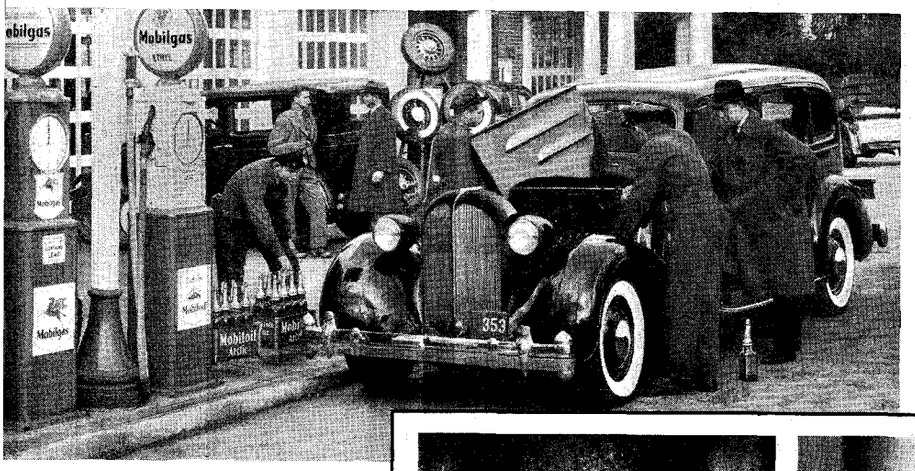


NEWS-MEN, oil experts, editors, automotive engineers clustered at base of giant extractor plant. They heard Socony-Vacuum's Clearosol Process announced, saw oil refining history in the making. They asked questions, made notes...phoned...wired...the news broke to America.

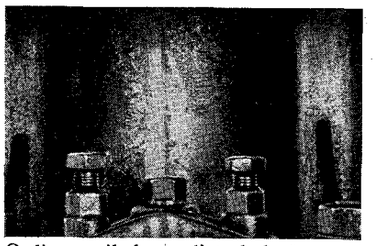
THIS NEW OIL REFINING DISCOVERY was news. The pu lic read, "Socony-Vacuum's Clearosol Process gets r of useless elements in oil...saves motorists millions."



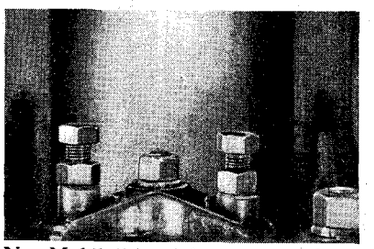
(Above) BRRR...Experts amazed at sub-zero starting test *(Below)* CAR OWNERS find Mobiloil Arctic makes starti easier...keeps motors running smoothly on coldest day



THOUSANDS OF MOTORISTS flocked in for the new Mobiloil Arctic. They asked questions. Showed great interest in how it was made... what it did. They liked the idea of oil purged of natural tar, gum and sludge. Mobiloil dealers across the entire country were amazed at the public's interest in Socony-Vacuum's Clearosol Process.



Ordinary oils leave dirt-choked motor.



New Mobiloil Arctic leaves motor clean.

MOBILOIL CW FOR GEARS

Gears need a different oi for Winter. Mobiloil CW is the proper grade to pro tect your differential and transmission...make gea shifting easy. Winter proof these vital spots fo driving ease and safety.

Mobiloil Arctic

MADE BY THE NEW SOCONY-VACUUM CLEAROSOL PROCESS

SOCONY-VACUUM

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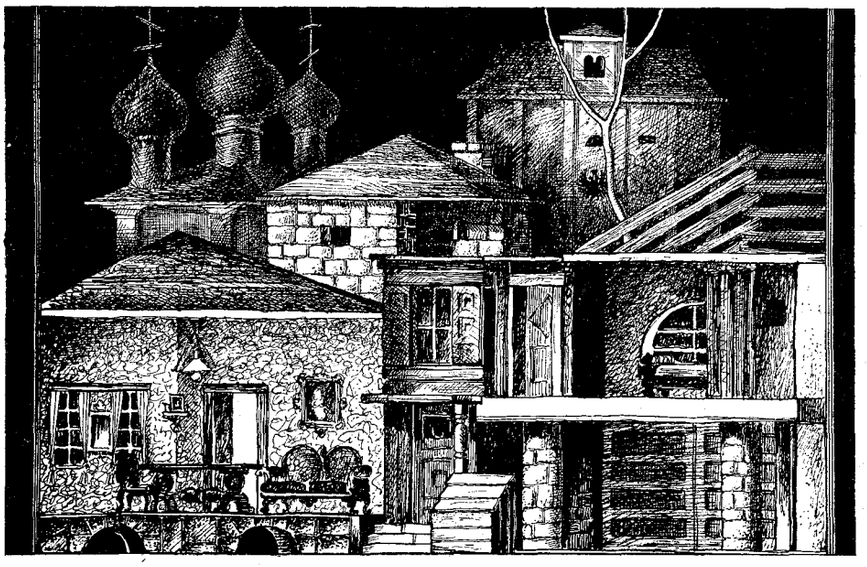
Opera By a Soviet Composer

The Cleveland Orchestra Will Play Shostakovich's "Lady Macbeth of Mzensk" in New York City on February 5



Setting for Act I of "Lady Macbeth of Mzensk"

The Cleveland Orchestra, on February 5, with Artur Rodzinski conducting, will introduce to New York "Lady Macbeth of Mzensk," an opera by the twenty-eight-year-old Soviet composer, Dmitri Shostakovich. The first representative musical work to come out of the new Russia, its first production outside of its homeland takes place in Cleveland on January 31 and will be repeated on February 2.

The New York production is for the benefit of the Composers' Fund of the League of Composers and the presentation, at the Metropolitan Opera House, will be under auspices of the League.

Shostakovich completed the work in December, 1932. It is the first of a projected cycle of four operas in which the composer plans to trace the condition of women in Russia. "Lady Macbeth of Mzensk" is based on a novel, "Lady Macbeth of Mzensk District," by Nikolai Leskov, who wrote it in 1864. The action of the opera takes place in the 'forties. The second opera is planned to take place during the Czarist régime of about 1860, the third in the Revolution of 1917, and the capping-piece will present woman in Russia to-day.

● Rich Dramatic Material

Shostakovich has cited as his reason for selecting the Leskov novel the rich dramatic and social content of the book, and added that he knew of no other work in Russian literature which so vividly has described the position of women in the ancient Russia before the Revolution.

He has confessed that he has taken liberties with the novel. He has treated the story differently approaching its events from a modern point of view. Writing in *Modern Music*, he has said:

"Accordingly, the subject has been somewhat altered. In Leskov's novel *Katerina Lvovna Izmailova*, the heroine, commits three murders before she is sentenced to hard labor in Siberia. She kills her father-in-law, her husband and her nephew. As I proposed to justify the action of *Katerina Lvovna* and create an impression of a definite personality, deserving of sympathy, I omitted the third murder, undertaken solely to make herself the heir of her slain husband.

"Now, to arouse sympathy for *Katerina* was no simple matter. She has committed a number of crimes against accepted moral or ethical laws. Leskov presents her simply as a cruel woman who 'wallows in fat' and murders innocent people. But I have conceived *Katerina* as a woman clever, gifted and interesting. Set by fate in gloomy, miserable surroundings, belonging to a merchant class which is hard, greedy, and 'small,' her life is sorrowful and pitiable. . . . It is unnecesary for me to relate the action further. For I have justified it chiefly by the musical material. It is my belief that in opera music should play the principal and deciding rôle."

Dmitri Shostakovich

Of this stormy young man, Walter Duranty has said: "Shostakovich is regarded as Russia's most important contemporary musician. His opera is a vital and dramatic work."

Anna Leskaya will sing the soprano part of the heroine, *Katerina*, for the New York performance. The tenor rôle of the lover will be sung by Ivan Ivantzoff, as the clerk, *Sergei*. The part of the father-in-law, *Boris Timofevich Izmailoff*, will be taken by the basso-cantante, Yasha Davidoff.

The Petrified Novelist

Leslie Howard Once Again Proves That He Is a Winning Actor

(Continued from page 19)

he gently declines. Soon a tourist couple come by, he confesses inability to pay for his supper, she gives him a dollar, and arranges for him to ride with them on to Phoenix. In a few minutes he is back. *Mantee* and his men have commandeered the car and they all come in to the shack.

Thenceforward, to an ending it would be less than gracious to describe, the play becomes a mixture of thoughtful contemplation of to-day's evils and melodrama, with the latter rising to flood for the last few minutes of the action.

The first act is smooth and alluring, and more than ordinarily comic. The second, suddenly, is exciting, filled with tension, and makes its points with a thump.

It has been held, and unfairly, against Mr. Howard that his especial trick in the theater was that of remaining virtually motionless while the others in his companies acted themselves to pieces around him. This, it has been said, naturally focused attention, and, of course, approval, on him. It is true that he is a master of understatement in performance, that others do act themselves to pieces around him, but in "The Petrified Forest" he is forced to the extremity of his talents by a shrewdly chosen company.

And when the play ends, and he still is the superior in acting, it is further glowing tribute to his great powers.

● Poem of Understatement

Humphrey Bogart's portrait of *Duke Mantee*, the nerveless killer, is a poem of understatement as compared with Mr. Howard's performance. Mr. Bogart has few lines, little action, but the picture of that inarticulate killer, a pistol snuggled under each arm, a submachine-gun on his lap, quietly, grimly holding his end of the conversation with an occasional "I wouldn't know, pal," is one of the gripping events in the theater.

Miss Peggy Conklin makes *Gabrielle* so vivid and real and enchanting that, even tho she no longer needs it, she once more is labeled among the elect of the drama's young women.

Charles Dow Clark, an old actor not seen so often any more, takes the rôle of *Gramp*, the desert-rat, in his two fine old hands and goes away with it, making the young players follow him. He captivated the First Night audience instantly and remained master of his part through the whole performance.

It is the ending that is going to break matinée hearts, an ending in which *Mantee* and *Squier*, secure at violently opposed ends of the social order, arrive at a pact which gives solution to the play, and meaning to the title.

Arthur Hopkins has staged the production with deep understanding and skill, and it may be looked upon as one of the gifts of the season.

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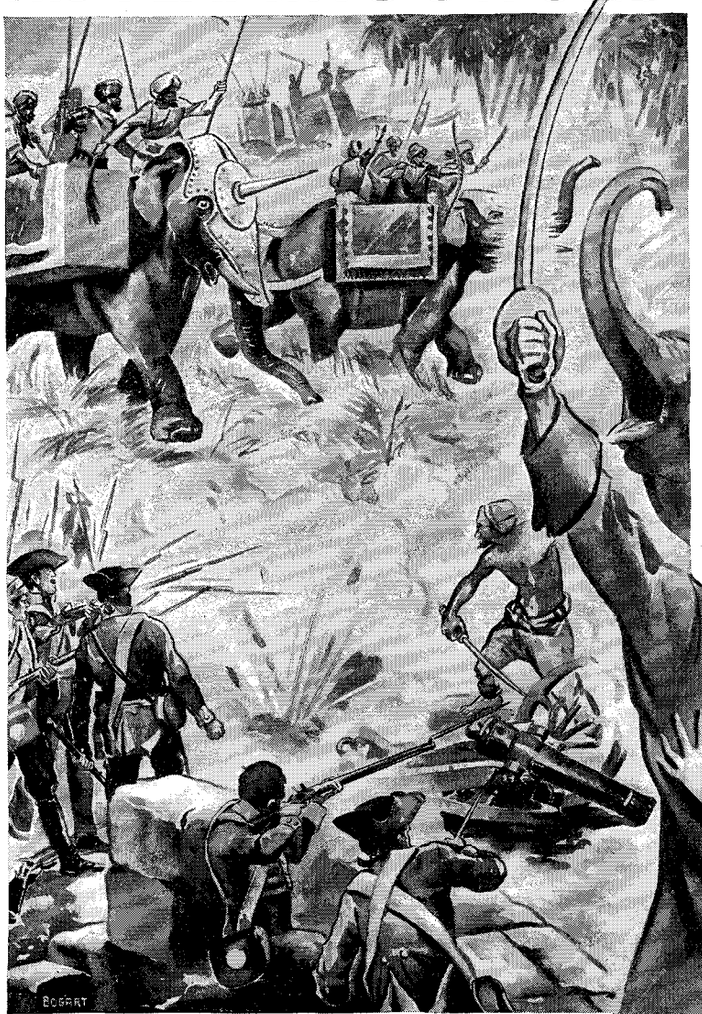
HIS FLAMING SWORD CRUSHED INDIA...

AND THE HEART OF THE WOMAN HE LOVED!

A flooded river behind him! A madman and his howling hordes ahead of him! He gave the only order he knew. *"Forward! Forward!"* And Clive made history with the battle of Plassey . . . avenged the massacre of "The Black Hole of Calcutta" and conquered all India!

The producers of "The House of Rothschild" present their most important achievement!



See The duel which convinces Clive that he is a Man of Destiny... A man who cannot die!

See An Indian ruler's human chessboard--with beauties as pawns... and with Death to the losers!

See Clive's "mad" army avenge the massacre of "The Black Hole of Calcutta!" First time on the screen!

See The charge of the battle elephants . . . strangest warriors in history... in the mighty conflict at Plassey!

JOSEPH M. SCHENCK PRESENTS

CLIVE OF INDIA

a DARRYL F. ZANUCK production

Starring

RONALD COLMAN

LORETTA YOUNG

20TH CENTURY PICTURE

with Colin Clive • Francis Lister
C. Aubrey Smith • Cesar Romero
Directed by RICHARD BOLESLAWSKI
Written by W. P. Lipscomb and R. J. Minney
Released thru UNITED ARTISTS

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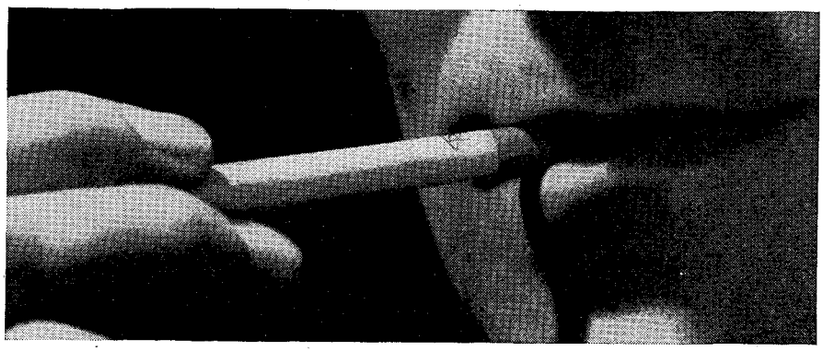
Movie of a man lighting a cork-tipped Spud

...or why the tips are packed DOWN

ONE . . . *Lift out the cigarette in the normal way.* The cork tip is at the *lower end.* Even your own fingers can't spoil its immaculate freshness.



TWO . . . *Just put the lower end in your mouth.* That's the natural way to do it. You don't have to fumble, or use both hands. This saves time.

THREE . . . *Light up.* And don't worry . . . there's no chance of lighting the wrong end. When cork tips were packed the old-fashioned way, even the most careful of us was likely to have his embarrassing moments.

CORK TIP or PLAIN 15¢ FOR 20

THE AXTON-FISHER TOBACCO COMPANY, INCORPORATED, LOUISVILLE, KENTUCKY

Current Poetry

Unsolicited contributions to this department will not be returned. Unpublished poetry is not acceptable

I LOVE—

By Amanda Benjamin Hall

All half-dressed children with their traces
About their feet, and breakfast faces,

A freckle, that enchanting speck,
And nape of any young child's neck,

And rate above all rich perfume
Red tang of jelly in a room,

The floury baker's oven scent
That is itself a nourishment,

All truthful beings, and the dire
But ever-splendid falsifier

Whose gaudy stories mark the man
As gallant and Gargantuan!

The nature with a furry nap
Of folk who call a dog "a chap,"

And equally eccentric folk
Who always give a cat a stroke,

Those small, dark men from other lands
Who clutch bright blossoms in the hands,

And men to whom a poet's line
Is dear, illumined and divine,

Who, let them scan a chosen bit,
They are in haste to peddle it,

That all may share to like degree
Thought's precious, frail commodity. . . . .

I love the singing of the throstle
As if he were the Lord's apostle,

All birds to whom I've ever harked,
And any road that is unmarked,

Poor invalids who pine and fail
And peer out brightly from their gaol,—

The little spinster, wistful-eyed,
Who sews the trousseau for the bride,

So awed to fashion and to touch
The nuptial gear—I love her much!

Old, cloistered scholars, wise, revered,
Each with his silver, scribbled beard

Upon his breast, and high degrees.
But I love even more than these

All doctors of a learnèd school
Who yet are tender toward a fool.

—*Voices (New York).*

OUTCRY IN DECEMBER

By David Morton

Nothing is broken here
That will not mend;
This is the turn of the year,
Not the world's end—
Though the dim gods on high,
Who do not care,
See smoke against the sky,
And ruin everywhere,
See the dark, smoking mound
And the skeleton trees,
The truth may not be found
In such as these.
Although the world must seem
In the gods' slow gaze
The end of another dream
Of nights and days,
It is not so . . . not so;
A million springs
Have pledged it is not so
A million springs . . .
Nothing is broken here
That will not mend—
This is the turn of the year,
Not the world's end.

—*The Conning Tower, New York Herald Tribune.*

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"Forgotten Child"

Welfare Agencies Call for Solution of Their Grave Problem

(Continued from page 17)

provide a happy medium between undesirable labor and the useful chores which might properly be expected of children.

Another who favored ratification of the child-labor amendment was Homer Folks, Secretary of the New York State Charities Aid Association. He said, too, that "the New Deal had made good in its campaign promise, and found the 'Forgotten Man.'" It has found also that the "Forgotten Man" "nearly always has a wife and from one to six children who have been even more completely forgotten than the man himself."

Now, said Mr. Folks, "child welfare permeates the whole range of changes which the New Deal has undertaken. The greatest opportunity of the New Deal may be to show that the welfare of children dominates many situations which now result in the appearance of bitter conflicts between grown-ups. It is not difficult to resist a demand made by organized groups of workmen in their own behalf. It is far less easy to stand out against the necessity for a reasonable standard of living for the forgotten wives and children of these men."

• A Bright Contrast

Asserting that there were "still many spots where child labor is abused," Courtenay Dinwiddie, of the National Child Labor Committee, declared "we propose to fight until they are wiped out."

Tho the present plight of the nation's schools seems disheartening, to-morrow's mirror shows a bright contrast. Dr. John K. Norton, Chairman of the Joint Commission on the Emergency in Education, said the downward trend had been checked and that improvement is forecast.

"I believe," he went on, "that the 1935 State Legislatures and the Federal Government will ultimately see their duty to the nation's children and will perform that duty. 1935 will mark the beginning of a revival of interest in education similar to that which a century ago, in the face of almost insuperable obstacles, created our free and democratic system of public education. Out of this renaissance will come schools and colleges adequate to cope with the pressing problems of our dynamic civilization. By 1940 I expect to be able to say that, so far as education was concerned, the depression was a great success."

An important feature of the conference was the presentation to Miss Abbott of *The Parents' Magazine's* 1935 medal "for outstanding service for children."

Chicago Art Exhibit

The thirty-ninth annual exhibition by artists of Chicago and vicinity will begin at the Art Institute on January 31 and close on March 10. The exhibition is restricted to artists residing in or within 100 miles of Chicago and will include only original works in oils, and in sculpture. Artists absent from the area for more than two years are disqualified.

"I never looked at it in that light before"

"I've often seen that little statue in the park," said Thomas Delaney. "On rainy days the umbrella keeps the children dry. On sunny days it casts a useful, pleasant shadow.

"That reminds me of an experience I had recently in finding protection for my sunny days as well as the rainy ones.

"The experience I mean began when I got the advice of an Equitable agent on a plan to take care of my wife and children if anything should happen to me.

"The agent worked out an insurance plan to cover that need. 'That,' he said, 'is the rainy-day side of insurance. Now consider the other angle—how life insurance can make your own later years sunny and secure.'

"He then showed me how the reserve value of my policies could make my own life easy after the children are grown. Starting when I am sixty I will get a check from the Equitable every month as long as I live.

"And this two-way plan means only a moderate outlay each year."

The Case Method can help you, too.

Maybe you, too, are interested in this "sunny-day" aspect of life insurance which so pleased Mr. Delaney. Or perhaps your problem is to provide an education for your children, or to assure security for aged dependents—or any of a dozen or more desires.

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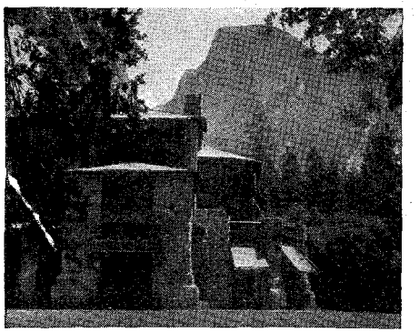

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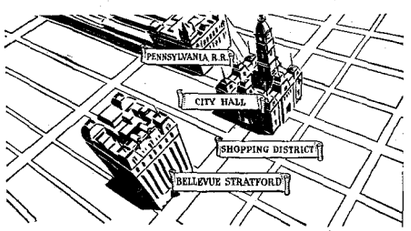

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Topics in Brief

ALL right, world, take your choice: Come to peace or go to pieces.—*Washington Post.*

It's a fine example the House sets for other householders, starting out with 2,200 bills!—*Philadelphia Inquirer.*

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Problem for Statisticians
—Herblock for NEA Service

TWO trials start concurrently—Hauptmann and Congress.—*Tampa Morning Tribune.*

MANY a fellow who yelps for a square deal merely wants all of the aces.—*Atlanta Constitution.*

"Is Germany looking for a war?" a writer asks. Perhaps so. She recently lost one.—*Jacksonville Journal.*

THERE are reports that new deposits of coal have been discovered. Not in our bin, tho.—*Norfolk Ledger-Dispatch.*

IF we understand the President's message, he doesn't want the country to get into the doledrums.—*Louisville Times.*

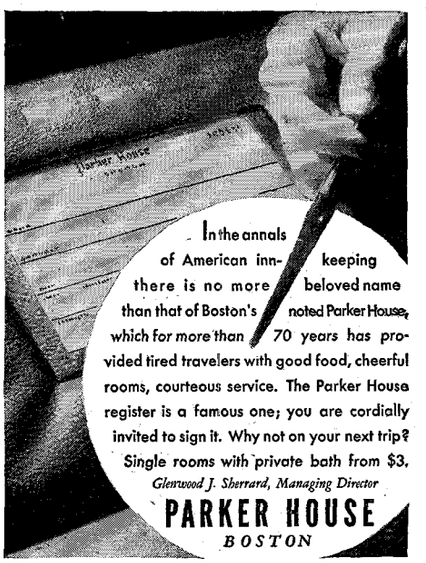
A MAN who dies rich, dies disgraced, says a magnate. In a tax-mad era, he certainly dies darn distinguished.—*Buffalo Courier-Express.*

WONDER if the Administration would consider plowing under every third book written by its high officials.—*St. Joseph (Mo.) News-Press.*

TRYING to solve the country's problems with Congressional oratory is like trying to untangle a traffic jam by honking your horn.—*Duluth News-Tribune.*

A COUPLE of decades ago the big question was how to get out of the trenches before Christmas. Now it's how to get out of the hole after it.—*Boston Herald.*

MUSSOLINI recently granted Eddie Cantor an interview, but it is too soon to predict what far-reaching international consequences may ensue.—*Springfield Union.*



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EVERYTHING we have is taxed—even our credulity and patience.—*Florence (Ala.) Herald.*

UNCLE SAM is finding that the "dear people" is no misnomer.—*Weston (Ore.) Leader.*

TYPICAL Americans are individualists who fight one another while organized groups steal their country.—*St. Louis Star-Times.*

HELL hath no fury like a woman who has been taking a reducing treatment and finds she has gained ten pounds.—*Florida Times-Union.*

ROOSEVELT seeks ways to obtain cheaper power. Our guess is that the embarrassed G.O.P. would like to know, too.—*Dallas Morning News.*

UPPIE SINCLAIR has been silent so long he must either be writing another book or organizing another economic program.—*Detroit Free Press.*

IF members of the Administration keep on quarreling, they will presently be shouting loud enough to awaken the Republican Party.—*Wichita Eagle.*

SENATOR BORAH has had no luck in his efforts to make the Republican Party turn toward the left. The G. O. P. would rather be right than elect a President.—*The New Yorker.*

THE Legion of Decency, having cleaned up the movies, is now going after the nudists. In other words, it wants to get something on them.—*Albany Knickerbocker Press.*

DOCTOR DAFOE has ordered changes in the diet of the little Dionnes who, he says, are getting too fat. Maybe the doctor got stream-lining notions in New York.—*Arkansas Gazette.*

THE "telephone habit," says a New York engineer, is something man inherited from the apes. It is hoped he will give us credit, tho, for thinking up the wrong number stunt for ourselves.—*Boston Evening Transcript.*

New Horizons

—Talburt in the Washington *Daily News*

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Among the Outstanding Books

A House Divided. By Pearl S. Buck. (New York: Reynal and Hitchcock [a John Day book]; $2.50.)

Pearl Buck has completed the trilogy which began with her Pulitzer Prize novel "The Good Earth," the story of *Wang Lung* and his native soil, and continued with "Sons," the history of the old peasant's son who became a war-lord, *Wang the Tiger.* "A House Divided" is the biography of the *Tiger's* son, *Wang Yuan,* who traveled far across the sea; in a sense, it is an allegory of all modern China, indeed of the younger generation of the whole world at sea in a strange age.

Pearl Sydenstricker Buck's genius flows in its own deep channel, untouched by the contemporary currents of most modern literature. She grew up in China, the daughter of a circuit-riding missionary, and, altho she returned to America for college work, she went back to China, married a professor of agriculture in a missionary college and herself taught English there.

Until the angry surf of the Nationalist tide drove her, her children, and the rest of the American colony out of Nanking, eight springs ago, she felt herself more a part of China than of America; then she began to write, in that curious, semi-Biblical prose which "The Good Earth" made famous, her novels of simple people in old China and new.

Worth Reading

Don Segundo Sombra: Shadows on the Pampas. By Ricardo Güiraldes. (New York: Farrar and Rinehart; $2.50.) The "Argentine Mark Twain's" cowboy masterpiece.

Before the Dawn of History. By Charles R. Knight. (New York: Whittlesey House; $2.50.) How the models of prehistoric beasts at the American Museum of Natural History were reconstructed from fragments of bones. Richly illustrated.

Heaven High—Hell Deep. By Norman Archibald. (New York: A. & C. Boni; $2.50.) This book brings back the excitement and beauty and misery of America in the war as no American book since "The Enormous Room" has yet done.

The American Diplomatic Game. By Drew Pearson and Constantine Brown. (Garden City: Doubleday, Doran & Company.) A sensational picture of European diplomatic chicanery and American diplomatic naïveté, ending with a confident prediction of imminent war.

● Essential Allegories

All Mrs. Buck's novels are essentially allegories. Her characters, moving as they are, are types rather than individuals; but she gives them almost the force of the type characters of Biblical parables. This, her latest, book lacks something of the exotic fire of "The Good Earth" and "Sons," but it has perhaps even deeper meaning.

For this is the story of a boy who loved both old and new, who half-hated yet half-respected his cruel war-lord father, who understood the new revolutionaries yet could not quite share their destructive hate, who had seen the new world of the West yet felt that his life must be lived in the old world of old China, who responded both to the lure of the jazz age and to the soil.

"The truth is, I can not hate wholly enough to kill a man," he told his foster-mother whom he found in Shanghai after, having first fled from his father's military household, he had rebelled in turn against the revolutionaries who wanted to kill his father.

"I always know how the other man feels too," he said. The revolutionaries declared "This man is rich and evil, and this man is poor and good"; but *Yuan* had seen kindness in rich men's eyes, laughter on bad men's faces, cruelty among the poor; "so he was spoiled for any cause-making."

In America *Yuan* was lonely; feeling the barrier that America raises between races; altho in America women were kind to *Yuan,* he was glad when the call came for him to return to his native soil.

Shanghai, that great foreign-built city on the muddy river, was as alien to *Yuan.* He could dance; he could wear the Western trousers and hat; but he felt rooted deep in the Chinese soil. The theme of "The Good Earth" reasserts itself. Mrs. Buck herself seems to feel that there is in the perennial miracle of the seed in the soil a mystic, life-giving experience which even the Christian doctrine she once taught in China can not yield. In America *Yuan's* deepest satisfaction was in agricultural experiment. In China the mud-floored hut that had once been his grandfather's home became to him a spiritual hospital.

Thither, toward the end of the book, *Wang the Tiger* returned, when his life had fulfilled its cycle, and other bandits had usurped his place as master of the countryside; there the *Tiger's* son *Yuan* finally discovered the love of a Chinese girl who, like himself, united absorption in her native East to knowledge of the medical science of the West.

Yuan "could not live in that earthen house, either—no, tho he liked something about it, very deeply, he knew now that he could not live there as his grandfather once had lived in content, and feel it home. He was between, somehow, and it was a lonely place—between, as he was, this foreign house and the house of earth. He had no real home, and his was a very lonely heart which could be wholly here and there."

● Double Dilemma

It is the dilemma of an American as well as of a Chinese generation—discontented with the new mechanical age, seeking sometimes a return to pioneer primitiveness yet never able to accomplish the return.

Mrs. Buck, perhaps accomplishing in this volume her own return from China to the land of her ancestors, is still in some measure the missionary, if not of the old dogma then of the old qualities of character.

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The Lexicographer's Easy Chair

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To decide questions concerning the correct use of words for this column, the Funk & Wagnalls New Standard Dictionary is consulted as arbiter.

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agnostic principles.—"L. L.," South Haven, Mich.—The use of the expression "agnostic principles" can be defended. It was used by a Scottish professor in writing on *Agnosticism* in 1876, seven years after Huxley first advanced the philosophy. The passage reads: "The same *agnostic principle* which prevailed in our schools of philosophy had extended itself to religion and theology. Beyond what man can know by his senses or feel by his higher affections, nothing, as was alleged, could be truly known."

Principle, as thus employed, is used in the sense, "that which is assumed or held as fundamental in any system or chain of reasoning, whether expressed or implied, true or false; an elementary proposition; ground." However, later writers have preferred to use the expression "agnostic doctrine" or "agnostic tenet."

beyond.—"H. A.," Goshen, N. Y.—There are several variant forms of this word: *beyant* (current in Irish dialect from 1848 to 1912, and probably still in use); *beyont* (current in Antrim, Ire., and Banffshire, Scot.); *beyun* (common in England to Northumbria, western Somersetshire, and Devonshire); *beyand* (southern Worcestershire).

The form *beyont* crossed the Scottish border and reached northern Yorkshire where it was absorbed; but it was not acceptable to the people of the West Riding who favored *beyond*, the form we use to-day. These variant forms are to be traced only to the cotters and workers of the soil, farm-hands and cottagers generally, altho the form *beyand* occurs in Porson's "Quaint Words," published in 1875.

"To get *beyont*," meaning "to get the better of," and "to go *beyont*," meaning "to overreach in a bargain, or to overcome or obtain the master of, as illness," are phrases used in northern and western Yorkshire. In northern Lincolnshire, *beyont* means "behind," not "yonder or outside."

delimit.—"C. T. M.," High Point, N. C.—The Latin preposition *de* in composition with some verbs sometimes served no other purpose than to strengthen the fundamental idea of the verb, and became adverbial in character and almost the equivalent of thoroughly, completely, much, quite, utterly, etc. Thus, *deamo* meant "to be quite in love with; to be desperately in love with"; *denego*, "to deny utterly," etc. Similarly, *delimito* had the sense, "to place definite limits upon; to bound exactly; to set a definite boundary to." This intensive characteristic has gradually lost most of its force in the English derivative, and now *delimit* and *limit* are used interchangeably, tho the former is still a shade more definitive.

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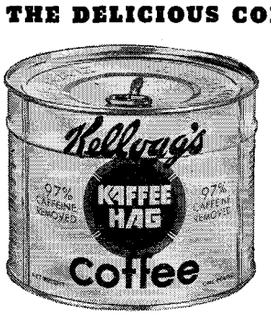

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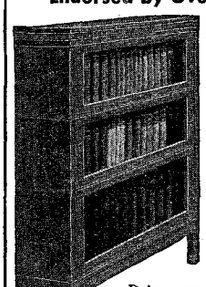

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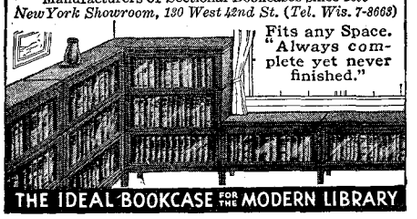

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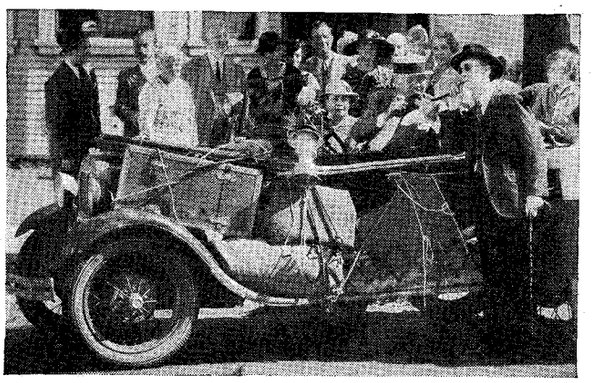
On the Current Screen

Listed among the authors of the new W. C. Fields vehicle, **"It's a Gift" (AAA*)**, will be found the name of one Charles Bogle. One given to bets on such things might be willing to wager that there never was any one named Charles Bogle, and the chances are that he would be right. For, according to reports from Hollywood, the lyric Bogle is no less a person than the antic Mr. Fields, himself, hiding his literary light under a pen-name. In "It's a Gift," the modest author has been wise enough to create a rôle permitting the great Fields to appear in virtually every scene, and to turn its plot into a veritable monolog for the funniest comedian of them all.



© 1934, Paramount Productions, Inc.

A scene from "It's a Gift," with W. C. Fields as *Bisonnette*

Thanks to the fact that the film provides a field-day (as heaven is *Argus's* judge—this is not intended as a pun) for the star, it is an enormously amusing succession of rough-and-ready "gags."

• Comedian-at-Large

Nevertheless, it is about time that the Fields enthusiasts got together and demanded that their hero have a production worthy of him. "It's a Gift" looks as tho it had taken two days to make, had cost $100, and had been photographed with one of the early Biograph cameras.

It is crude, clumsy, and quite amateurish in its appearance. It merely happens that a great comedian appears in it and has a free hand in his brilliant clowning, with the result that the defects become unimportant, and the film emerges as a comedy delight. Just for a change, tho, a skilful production might be accorded Mr. Fields, just to see what the effect would be.

The slight story tells how a hen-pecked grocer named *Bisonnette* longed to become an orange-grower in California. After many sufferings at the hands of his wife, the neighbors, and the customers at his grocery, he managed to gain his desire. Almost all of the "gags" in the tale are hilarious, in particular the ones recounting *Mr. Bisonnette's* efforts to shave, and his later attempt to get some sleep on the back porch.

It must be true that Mr. Fields is the only comedian at large who could find fun in the adventures of a blind man in a grocery, and not cause the resulting efforts after comedy to seem revolting. In "It's a Gift" the episode is actually funny.

• • •

"Sweet Adeline" (AA)—The Jerome Kern musical comedy about the gay 'nineties in New York and Hoboken prettily transferred to the screen, with Irene Dunne in the rôle Helen Morgan created on the stage. The Kern score remains the bright feature of the work, and much of its period atmosphere is attractively recaptured, but the story is less than a helpful feature, and one of those large-scale Hollywood chorus numbers hardly assists in maintaining the proper mood. Miss Dunne is supported by Donald Woods, Hugh Herbert, Louis Calhern, and Winifred Shaw.

• • •

"Kentucky Kernels" (AA)—Wheeler and Woolsey in better form than usual in an occasionally hilarious farce-comedy about Southern feudists. In its slap-stick way, it is reasonably entertaining, altho the stars remain less than comics of the first order.

• • •

"Best Man Wins"—Jack Holt and Edmund Lowe in one of those earnest he-man melodramas. This time Holt is a harbor-policeman, who finds that Lowe, the man who once saved his life, has become a jewel-smuggler. Florence Rice provides the romantic interest.

• • •

"A Wicked Woman"—An excellent actress named Mady Christians is wasted in her Hollywood début in a dull and heavy-handed film about a devoted mother who commits murder in defense of her child. Miss Christians deserves better material than this shoddy story has to offer.

• • •

"I Am a Thief"—A foolish and confused melodrama based on the popular cinema belief that the Simplon-Orient Express is patronized exclusively by murderers, diamond-thieves, beautiful ladies in distress, and famous international detectives. Mary Astor, Ricardo Cortez, Dudley Digges, and Robert Barrat attempt desperately to extract some sense from it.

ARGUS.

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*Cradle Song, Catherine the Great, *The House of Rothschild, *You're Telling Me, *Tarzan and His Mate, The Barretts of Wimpole Street, The Merry Widow, The First World War.	*Kid Millions, The Gay Divorcée, Broadway Bill, *Flirtation Walk, *The President Vanishes, *The Mighty Barnum, *Babes in Toyland, *The Little Minister, Don Quixote, *It's a Gift.

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New Managing Editor

Stanley Walker in Charge of News for New York Mirror

Altho it still will be a morning tabloid, there will be a considerable departure from what have come to be recognized as tabloid methods in the New York *Daily Mirror* under the egis of Stanley Walker, who became Managing Editor of that important link in the Hearst chain of newspapers last week. Mr. Walker, for seven years City Editor of the conservative New York *Herald Tribune*, explained to THE LITERARY DIGEST that *The Mirror*, which was started in 1924 as a competitor of the New York *Daily News*, established in 1919 by the Chicago *Tribune's* publishers, was not intending to emulate its rival.

© Underwood

Stanley Walker

Mr. Walker will endeavor to make *The Mirror* "authentic," he explained. "There will be lots of pictures," he said, adding that news-reports and features would be "crisp and compact, and in good, straight English without twists of 'style.'

"I've always thought there was a real future for the tabloid idea," he declared, and, welcoming the opportunity to develop the fresh ideas expressed in "City Editor," his credo for newspapers recently published by the Frederick A. Stokes Company, remarked that he was "in a great spot, with a great chance."

● Born on Texas Ranch

On October 21, 1898, in the ranch-house of Walter and Cora Stanley Walker in Lampasas County, Texas, Stanley Walker opened eyes for the first time on a world which he since has come to regard with interested tolerance or amused cynicism.

There is none of the stagy conception of a city editor about Stanley Walker. Editors have said there is a native school of young men he has taught to write news and features since he became a rewrite man on the old New York *Herald* in 1920.

He served his cub-reporter days on the Austin (Tex.) *American*, went to the Dallas *Morning News* in 1918, was Secretary to the Mayor of Dallas in 1919. When the New York *Tribune* absorbed the New York *Herald* in 1924, Mr. Walker went along with the amalgamated paper, becoming Night City Editor in 1926.

In addition to "City Editor," he wrote "The Night Club Era," and has contributed to *The American Mercury*, *Forum*, *Vanity Fair*, and *Harper's Magazine*.

He lives with his wife, the former Miss Mary Louise Sandefer, and daughter and son at Great Neck, Long Island.

According to the latest A.B.C. statement, *The Mirror's* circulation is 538,820 for week-day issues, 991,514 for Sunday issues; *The News* has a 1,464,569 week-day circulation, 2,132,647 on Sundays. It is assumed that it will be Mr. Walker's task to develop his paper's circulation.

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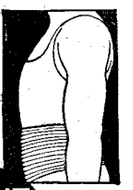

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An Amateur's Variation of the Viking Sport

Growth of Downmountain Ski-Racing, Boosted by "Snow-Trains" and Prospects for Official Recognition in Olympics, Threatens Ski-Jumping's Popularity by Bids for "Dubs"

By Frank Elkins

Courtesy Boston & Maine R. R.

"Dubs" and experts pile out of the "Snow-Train" from Boston, for a week-end among New Hampshire's snow-covered hills, where downmountain ski-racing is very popular

Swooping down the tricky descent at breakneck speed, rounding the sharp, hairpin curves on the ride, and then topping off a dashing run with a deft Christiania turn, the downmountain ski-rider always evokes a tremendous outburst of applause from spectators by his breath-taking performances.

The king of winter sports, ski-jumping, has always maintained a vise-like grip upon the attention of the sporting fans because of its death-defying flare. But ski-jumping is being forced to share its following with the spectacular downmountain racing.

● Boon for Amateurs

Both phases of the viking sport abound with thrills. But, whereas it takes a number of years before one can even venture to jump from a middle-sized hill with assurance and confidence, it does not require too lengthy a time before the "dub" skier can become proficient in downhill racing.

Like a jumper, the expert downhill skier must possess an unlimited amount of courage and nerves of steel—those dashes down the icy steeps are studded with precarious bends and curves.

A speed of almost sixty miles an hour may be reached in several steep spots; skiers have been clocked at better than eighty miles an hour in Switzerland; a split-second's hesitation on a turn may prove disastrous for the contestant.

Unlike ski-jumping, no penalties are inflicted for bad form and spills; the ultimate object of a downhill run is speed. Any "croppers" that a skier may pull along the route will cut down on his time-performances, diminish his chances of winning. Steadiness may not be judged in the reckoning, but steadiness knocks slim seconds off the time over the course.

A twenty-year-old lad, stocky Richard Durrance, did not see snow until eight years ago; still he is the peer of downhill skiers in this country to-day.

Born in Tarpon Springs, Florida, in 1914, now a Dartmouth College freshman, he attended New York Military Academy in 1926, and first saw snow then. He next went to school in Garmisch-Partenkirchen, Germany (scene of the 1936 Winter Olympic Games). During his six-year stay there, he learned the viking sport.

He returned to this country in the summer of 1933, went one year to Newport, New Hampshire, High School before matriculating for Dartmouth last fall. It did not require much time for Otto Schniebs, world-renowned skiing instructor, to recognize the natural ability of Durrance. In the last year, Schniebs has developed the youth so remarkably that he is the most versatile intercollegiate skier in America.

A "high tempo" turn, which enables the Dartmouth freshman to cut inside the curves, clips his time over a course; that trick is one of his principal assets. He also displays a pronounced "vorlage"—a forward lean from the skis, which requires little muscular labor—that gives him added speed on the turn and down the slopes.

Most of the veteran downhill skiers agree that "Hells Highway" in Mt. Moosilauke, New Hampshire, is about the most difficult course in the country. It is about seventy-five feet wide, has a vertical drop of 2,500 feet, and a 38° slant.

Other prominent trails are the "Inferno," of Mt. Washington, 4,500 feet steep, which compares favorably with European courses; the Mt. Rainier Olympic Trail above the timber-line in Rainier National Park, Washington; and Taft Trail in Franconia Notch, New Hampshire.

Originated in the Alps in 1900, downmountain racing was first introduced to this country about five years ago. Since then, its progress has swept Northern New England, the Middle West, and the Pacific Coast, where facilities for that phase of skiing are available.

It is said that in the White Mountains region of New Hampshire, downmountain skis, which have steel edges, and are wider and heavier than the ordinary grooved boards, are sold at a ratio of almost 100 to 1 to jumping skis.

Downhill skiing also has had a boom in the European winter-resorts, which flourish in Austria and Switzerland. Aerial tramways are utilized there to carry skiers to mountainous heights.

Even in New Hampshire, the building of a tramway has been under consideration for more than a year. A committee appointed by Governor Winant has reported favorably on a site on Cannon Mountain.

One enthusiast recently declared, "The growth of skiing, especially downhill, has been explosive." Considering the number of persons transported by the Boston & Maine "snow-trains" from 1931-34, this statement is more than true.

● As the Dubs Go

In the four seasons, the B. & M. has carried 41,362 passengers to various ski-centers in New Hampshire. If this figure can serve as any sort of a barometer for the remainder of the country, we can be assured that the nation is becoming ski-minded, with the trend toward the downhill sport most pronounced.

So remarkable has been the advancement of downhill skiing that the sport has been added to the 1936 Winter Olympic Games.

The "dub" skier realizes that his competitive chances are more sporting in downhill races than in jumping. It is rightly said: As the dubs go, so goes the sport. The downmountain-racing phase of the viking sport of skiing will one day overshadow all other winter sports.

Photo Kloptenstein

Whistling down Switzerland's snowy steeps, and booming over unexpected jumps

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The Winners

Fred Perry took one set against Jack Crawford in the finals of the Australian title play last Saturday; last year Perry took the title. Too frequent defense of his heap of titles appeared to have wilted the "World's Champion," Perry met and lost in four sets to Jack Crawford in Melbourne last week-end.

The match was played in a blistering sun before a packed stadium of 10,000 spectators. The hot weather seemed to add to the fury of the play, after a slow first set—the set which Perry won. Headed for the showers, minus one title, Perry commented:

"This may be the last time Crawford and I will meet."

The remark whetted speculation about Perry's future. Two courses have been opened to him: Hollywood, the route that Frank Shields followed to added fame and fortune, without losing his amateur status; the Tilden Troupe, and a reputed offer from Tilden's promoter, Bill O'Brien, of $40,000 to turn pro.

● The Hockey Race

The Hockey Race seems to have left the two New York City clubs, Americans and Rangers, in the lurch—the same fate that befell baseball in New York last summer. But the "City Series," a stimulant closed to baseball in the metropolis, still keeps hockey's following flocking to Madison Square Garden. Over the week-end, the Rangers beat the Americans, 3-1, in a frantic game before 12,000 fans. The victory gave the Rangers a two-to-one lead in the "City Series."

A number of important basketball games were played over the week-end. In the East, Army beat Colgate, 33-26; Pennsylvania won from Dartmouth, 30-22; New York University beat Fordham, 36-24; Princeton whipped Cornell, 29-27; Syracuse topped Rutgers, 40-35; Temple won its first game from Pittsburgh before an overflow crowd, 45-38; and Navy trounced Columbia, 33-24.

● Basketball Results

In the Middle West, Wisconsin beat Indiana, 30-23; Purdue beat Chicago, 39-21; Nebraska won over Iowa State, 32-31; Minnesota whipped Michigan, 31-24; Iowa beat Northwestern, 38-35; Illinois smothered Ohio State, 44-23.

Elsewhere, Texas ran over Baylor, 44-23; Tennessee trounced Tulane, 39-27; Oregon State smothered Oregon, 47-18; and Idaho beat Washington State, 37-28.

The Tilden Troupe stopped over in Pittsburgh to put on their show before four thousand fans. Vines beat Stoefen in three sets after one hour and forty-five minutes of play. The Stoefen-Lott combination took the doubles match from Tilden and Vines.

Bryan "Bitsy" Grant, bantam ruler of the hard courts, won the annual Miami-Biltmore tennis tournament from Berkeley Bell, seventh ranking player in America. Grant, tenth ranking player, defeated Sidney Wood, No. 2 player, in the semi-finals.

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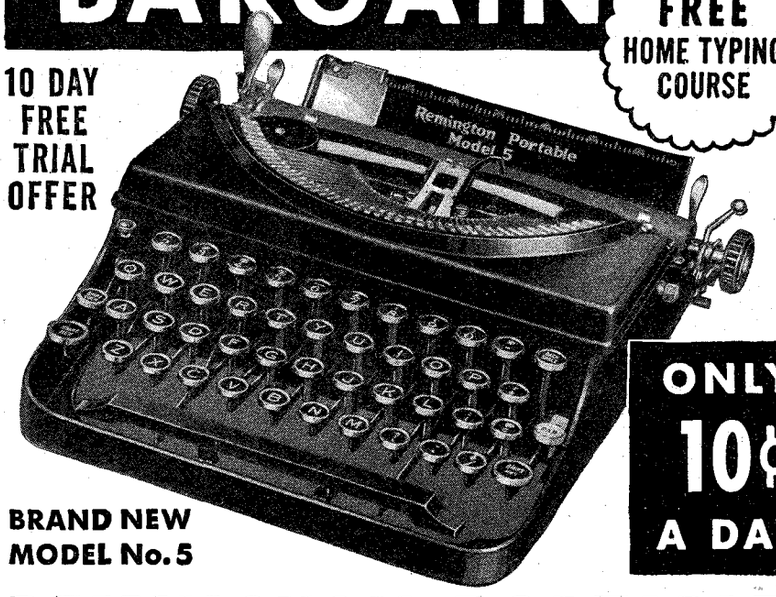

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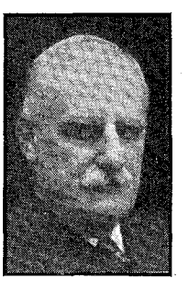

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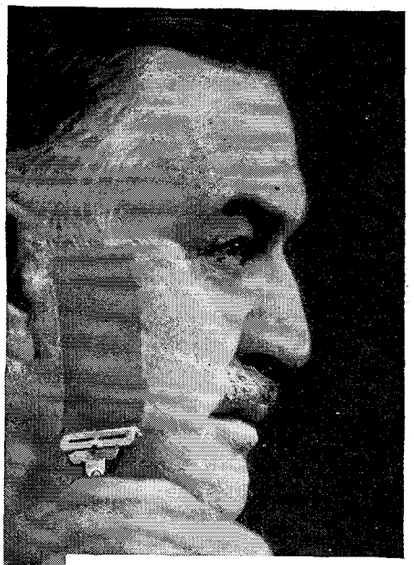

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ARIZONA

Pro Tennis on Tour

The Tilden Troupe, Larger Now, Goes on the Road Again

The second largest and by far the most enthusiastic crowd in the history of American tennis sat through three hours and fifty minutes of brilliant professional tennis in Madison Square Garden last week. Some 16,000 rabid, roaring fans of the professional game were there. The paying customers piled up a gate of $24,682. Last year, the Tilden troupe, freshly loaded with Vines's dynamite, opened in the Garden before the largest crowd in the history of American tennis and grossed a gate of $30,213.

Acme

Lester Stoefen and George Lott, with the last of their amateur trophies—they play for cash now

Those sums are significant. They are chief among the factors which influenced the two latest recruits, Lester Stoefen and George Lott, to join the Tilden road show. The addition of the Stoefen-Lott doubles team to the troupe rounded out a show that was top-heavy last season.

A doubles contest in tennis lends itself better to the "build-up" that makes professional sports pay. The customer gets four "Big Names" instead of two, and twice as much action as in the singles. Perhaps there is more skill and science in a singles contest, but the doubles play is a far better crowd-pleaser for a gallery raised on action and the right to roar disapproval.

● Tilden Stole Show

Tilden beat Lott in two sets as a curtain-raiser in the Garden show last week. With little more than ten minutes' rest, Tilden came back to pair with Vines in a doubles match against the late amateur champions of the world, Lott and Stoefen, in a toe-curling battle that raged for two hours and fifty minutes under the glare of the calcium lights. The Lott-Stoefen pair hammered out a victory in the first two sets; then Vines and Tilden came back to win the next three: 13-11, 8-6, 6-4.

Again it was Tilden, gallant campaigner, who stole the show from the youngsters, as he did when he beat Vines in the début at the Garden last year. Vines, Lott, and Stoefen—they all wilted under the pace. When Umpire Benjamin Dwight called the final score at 12:30 A.M., Tilden was the tough one whose game was still steady.

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Intercollegiate Boxing Booming

With Its Inflation Controlled and Its Amateur Atmosphere Guarded, College Sport Challenges Popularity of Professional Ring

By Joel P. Glass

At the United States Naval Academy at Annapolis this month, a young man will begin a season of strenuous competition in the ring. In slightly more than two months he will compete in seven bouts. He hopes —and with reason—to win all of them.

The young man is Slade Cutter, six feet and one inch tall, fast and shifty as a lightweight, despite his 220 pounds, and gifted with a knock-out punch in his left hand, as well as his right. Last December, he won Navy immortality by kicking the field-goal which beat Army for the first time since 1921.

Early in his career at Annapolis, Cutter was floored in the first round of a bout with Phil Collins of Washington and Lee, Southern intercollegiate champion. In the second round, Cutter knocked out Collins. In all, he has won eighteen bouts for the Midshipmen, and lost none. The Navy belongs to no intercollegiate boxing association. Consequently Cutter is a man without a title, but there is slight doubt that he is the best heavy-weight in college circles.

Experts believe that if Cutter should turn professional he might well become heavy-weight champion of the world.

● Dangers for Future

In this husky midshipman is expressed both the hope and the fear of intercollegiate boxing—the first because he represents youth at its best, at the top in a rugged man's sport; the latter because, if his amateur spirit should be less strong, he might use his collegiate success as a stepping-stone to a fortune as a professional fighter. Universities and colleges, finding themselves becoming, in a sense, training-schools for professional football and baseball, have no desire to reenact that rôle in the boxing world.

Few people realize that college boxing in 1935 has outstripped professional boxing both in participant and spectator interest, or that it has become, in many sections, the most popular sport, except football.

The crowds witnessing the dual meets are limited only by the size of the arenas. Audiences of 5,000 are frequent.

In many smaller schools, where powerful football teams are not possible, boxing has become the major sport. The California Aggies, for instance, are insignificant in Pacific Coast football. But for three years in succession they have won the championship of the Pacific Coast Intercollegiate Boxing Association, which has in its membership Stanford, California, California at Los Angeles, San Francisco University, Idaho, Washington, and Washington State.

● Drawbacks to Growth

In the classical atmosphere of the historic University of Virginia, boxing enthusiasm has risen to the intensity of a craze. There is even a boxing-ring on the campus at commencement. Nevertheless, the atmosphere of the sport is the traditional atmosphere of the university.

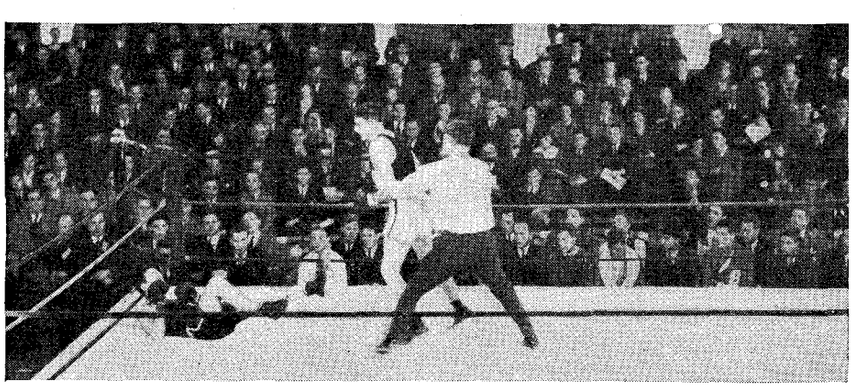
At present, few important universities tabu boxing. True, the Western Conference (Big Ten) has not yet adopted it as an intercollegiate sport, but some of its members have dual meets and all provide intramural boxing.

Where school authorities hesitate to sponsor boxing, two fears are responsible:

1. Fear of a tragic accident: Soon after the University of Southern California took up the sport, a student died following a bout. To-day the university is not a member of the Pacific Coast Intercollegiate Boxing Association. In fact, the incident almost caused the dissolution of the association.

2. Fear of unwholesome rivalries: In one bout at a Western university the contestants were members of rival fraternities. Keyed up by their followers, who wagered large sums, the young huskies put on a fight that outclassed the celebrated Dempsey-Firpo battle for ferocity. There were fourteen knock-downs in the first two rounds.

Above all, the colleges do not wish to train youths to become professionals. That is why there is not, to-day, a national intercollegiate boxing championship, which would be bound to produce a fanfare of publicity, and create a new set of collegiate heroes who might be tempted, after graduation, to capitalize on their college success.



Knock-down in the University of Virginia ring—but the spectators sit silent, restrained; boxing's tradition at Charlottesville permits no cheers until the round ends

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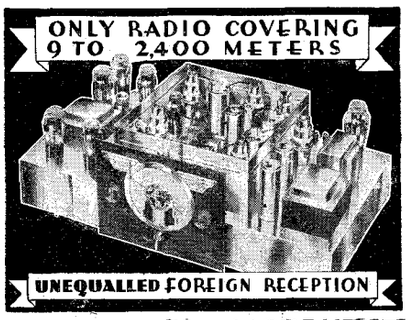

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Wall Street Shows Suspended Judgment

The Stock Market Is Sustained By Business Optimism While Awaiting Political and Trade Developments; Currency Stabilization Looms; Stock Exchanges Are Disappearing

By Robert Winsmore

Profusion of seemingly important events quite failed to help or harm or even quicken the stock market during the first fortnight of the new year. The failure furnished valid proof that what the market chiefly reflects just now is adjustment to existing uncertainties and conditions, and suspended judgment as to their further development.

Neither the President's first message, with its tone of conservatism, nor his budget message, with its program of continued huge borrowing and spending, contained surprizes sufficient to disturb the market's balance.

Either similarly anticipated or too inconclusive to be potent were the radicalism that became newly resonant at Washington, the plainer threat of anti-bank and anti-holding company legislation, the ICC's report, the Supreme Court's oil-production decision, the direction of public attention to the momentous question of gold-payment covenants.

● Quiet Firmness

At the same time, the market's quiet firmness at the best price-level since last June testified last week to the sustaining influence of broadening trade improvement, now indicated most notably by the unseasonal sharp rise in the rate of steel production which has lifted that pivotal industry to within reaching distance of profitable operation.

Aided by that and by lesser exhibits, confidence in business betterment undoubtedly is spreading. In Wall Street, and elsewhere, it is serving to offset dislike of the certainties and distrust of the possibilities of the present Washington situation. Perhaps, if maintained, it will come to outweigh them.

However that may be, it has been made evident that the sentiment which is reflected by Stock Exchange price movements no longer sees immediate terror in the unbalanced budget or in other reconstruction and correction policies of the Administration. Neither, for that matter, is it finding immediate cheer in the potential inflation, at least of credit, implied by the Government's design to borrow and spend lavishly through another year. In these respects, the stock market would seem to have begun 1935 with a return to approximate sanity.

● Denials and Scoffing

Statesmen deny and bankers scoff, but it is sufficiently apparent that progress is being made toward international stabilization of currencies.

At Washington last week, Attorney General Cummings, pleading before the Supreme Court in support of the Government's nullification of gold covenants, spoke significantly of ultimate conferences between this and other nations. "The Administration wants to see currency stabilization realized in all countries," he declared, and urged the Court to "lay down in unequivocal language that action open to other Governments shall not be denied to the United States."

By coincidence, the same day's cables carried the news that a French diplomatic mission will presently discuss stabilization at London, coupled with definite rumors that France and Holland are about to press Great Britain to open conversations with the United States. At the same time, President Roosevelt, talking to newspaper men at Washington, admitted knowledge of intended new stabilization moves by gold-bloc countries.

The matter is of such vast importance that seeming straws are not wisely ignored. There is no present indication that stabilization is near at hand; none that the dominant nations of the gold bloc are yet ready to devalue their currencies to the extent that would be necessary—perhaps 40 per cent.—if at all.

Necessarily, however, plans and negotiations to such ends would be heavily wrapped in secrecy.

It is evident enough that the strain in those countries and among their lesser financial allies is still increasing, and that failure to share with Great Britain and the United States in recovery progress is steadily intensifying political agitation for higher prices, debtor relief and enlargement of foreign trade.

The gimlet eye and the prying finger of the new Securities and Exchange Commission are proving increasingly effective, and there is more irritated grumbling in Wall Street than Wall Street allows to be heard beyond its curbstones. For reasons of obvious policy, the subjected Stock Exchange maintains official pretense that its fetters are light and pleasant to wear. Official frowns, or worse, appear whenever dissent from such complacency rises above a murmur. But the dissent is constantly present, and it is not without bearing upon the continuing strife within the Stock Exchange itself.

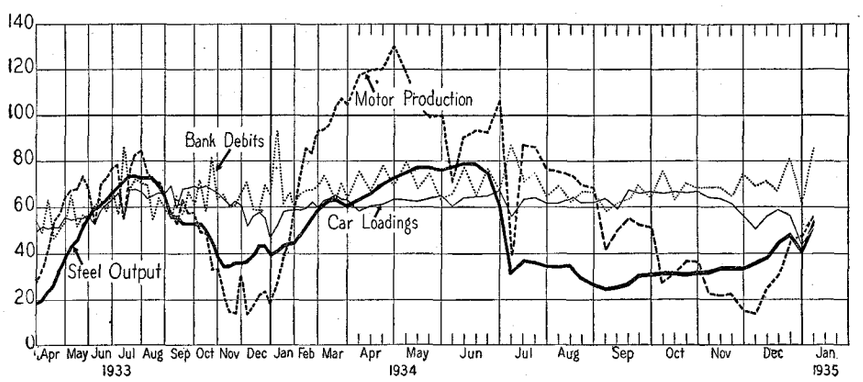
● Without Mourning

Five of the country's forty organized stock markets have found it expedient to suspend operations since Federal regulation was ordained. For them, to be sure, Wall Street is not mourning. They were not representative or important; the reputation of one or two or more was notoriously bad, and the sins of these had been unfairly laid at Wall Street's doorstep with damaging frequency. Their passing could be called constructive.

Nevertheless, the self-extinction of the five without open contest is evidence of the power, as well as the purposes, of the SEC. The last to announce hara-kiri over night was the securities department of New York's reputable old Produce Exchange. The Commission stolidly investigated that market, "called the attention" of the Exchange's governors to certain floor transactions and distribution methods, and—presto!—the governors suddenly discovered that it would be economical to discontinue all security trading permanently.

Obliteration of an established stock exchange, even an obscure one, necessarily gets publicity.

Interference with private projects in security marketing and speculation is less likely to get into print, or beyond the intimate gossip stage. It is the latter, however, which just now is giving Wall Street most concern in view of the SEC's almost unprecedented legal power to probe and restrict and forbid at will, and of its readiness to use it.



Four Indicators of Business Activity

This chart shows in percentage of deviation from the basis of weekly average for 1923-1925, inclusive, steel-ingot production in percentage of total plant capacity, total freight car-loading, bank debits outside New York City, and automobile production. It covers the week ending January 5

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Banker Gives Views

Jackson E. Reynolds Addresses First National Stockholders

Last October it was Jackson E. Reynolds, President of New York's great First National Bank, whose urging at Washington did most to reconcile the bankers of the country to Administration policies and offers of cooperation. Last week President Reynolds had some interesting and surprizing things to say to First National stockholders at their annual meeting. Very frankly he told them that while he hopes their bank will earn its dividend during the current year, that prediction can not be taken as a hard and fast commitment.

"The Government is in complete control of Federal Reserve policies, and is making money cheap," declared Mr. Reynolds, according to the New York *Times*, . . . "The last issue of Treasury bills sold at a rate of 11-100ths of 1 per cent. . . . There is no likelihood of a change in Federal Reserve policy. . . . The only hope for an upward tendency in the money market depends on improvement in business."

● Money in the Cellar

At the same time, Mr. Reynolds announced, the First National Bank does not intend to invest its funds in other than liquid obligations merely for the sake of increased income. The bank would rather have its money in the cellar than lend at 6 per cent. and jeopardize the principal. And to a stockholder who asked whether such unused reserves would not arouse criticism that the bank was not making its resources available for business, Mr. Reynolds said:

"Two years ago deposits in the bank were $447,000,000. Two weeks later deposits had declined $172,000,000. We don't suggest that there is a possibility of another such wallop, but it would be simple to have one-half this proportion. . . . A large proportion of the deposits represented by our excess reserves is placed here for safety . . . and we don't want to put it where we can't get it when we want it."

● "Proposal Unfair"

Another stockholder wanted to know what would happen if the banks decided to liquidate $2,000,000,000 or $3,000,000,000 of government securities. Mr. Reynolds answered tersely, "Their decision would be futile, since they could not sell this amount."

Questioned as to the effect of a Federal central bank, he gave as his belief, "If it is the type proposed by Mr. Thomas it would injure the banks irretrievably. A central bank of the type of the Bank of England would be helpful."

Very discouraging for holders of bank stocks, Mr. Reynolds declared, is the outlook for deposit-insurance legislation which probably will extend the present limit of coverage, and also base each bank's payment to the insurance pool upon its total deposits instead of upon the amount of deposits insured. "It looks as tho these modifications will go into effect by midyear," he said. "However, the proposal is so unfair that its sponsors may not have the face to approve it."

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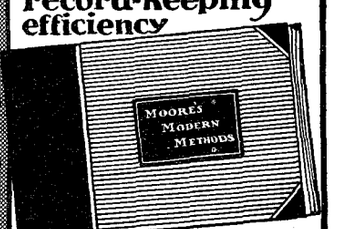

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From Our Readers to Our Readers

Bread-Winners, Money Barons

To the Editor of The Literary Digest—Sir:—Why do our legislators worry so much about safeguarding the unearned wealth of our money barons, while they give so little thought about the earning power of our millions of bread-winners?

HENRY TOELKE.

Binghamton, New York.

A Clergyman on Nudism

To the Editor of The Literary Digest—Sir:—To the pure all things are pure. In a land of moral purity, nudist colonies could be perpetuated, according to God's original plan. Since, however, the imagination of man's heart is evil from his youth, it is advisable to follow the example of our first parents and retain fig-leaves.

(REV.) HERMAN BILLENBERG.

Oil City, Pennsylvania.

The Quintuplets' Record

To the Editor of The Literary Digest—Sir:—In THE LITERARY DIGEST for December 29 one reads on page 7, " . . . they are the first quintuplets in medical annals to live over fifty days." On page 30, "It was the first time in medical history that a set of quintuplets had ever been kept alive more than fifty minutes."

W. EDWARD S. DEMING.

Washington, D. C.

[Both statements are correct, since two records are involved. Medical annals show that in previous cases of quintuple births, at least one of the set had died within fifty minutes, and that all have died within fifty days.—*Editor.*]

"Slips" Editor Slips

To the Editor of The Literary Digest—Sir:—I have always enjoyed your column "Slips That Pass in the Night." The column in the issue of January 5 was doubly entertaining to me because of your item "Social Note":

"Mr. and Mrs. —— wish to announce that the Brith of their son will take place to-day at 10:30 A.M. at their home. Friends and relatives are cordially invited to attend."

The intended humor of this item rests apparently about the word "Brith" (Birth). However, it happens that "Brith" is a Hebrew word used commonly by Jews in referring to the circumcision ceremony which takes place on the eighth day after the birth of a boy.

SALLY PEARL.

Brooklyn, New York.

[Many other readers have pointed out this error. The "Slips" editor slipped. THE DIGEST apologizes.—*Editor.*]

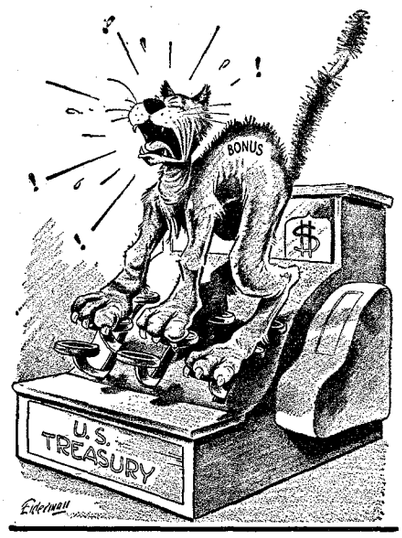
A Letter From Bishop Cannon

To the Editor of The Literary Digest—Sir:—Your statement [December 15 issue] that "Bishop Cannon, once a big power in the Methodist Episcopal Church South, stood ready to lead a protest" is so misleading as to be false. Bishop Cannon actually did lead a fight which resulted in the Federal Council of Churches' declining to accept any responsibility for the 7,000-word report, but upon my own motion, after I declared them "innocuous," the four resolutions were adopted, and then my resolution putting the Council on record for Prohibition was adopted overwhelmingly.

But your supposedly accurate report declares I "stood ready." Why did you try to mislead your readers, and why did you not publish the positive, uncompromising declaration which I introduced, and which was adopted? You had space to print the four "innocuous" resolutions. Why not the resolutions setting forth conviction and attitude? Are you opposed to Prohibition that you try to mislead your readers and conceal the fact as to the Federal Council's attitude in favor of Prohibition? What do you do when you find you have deceived your readers?

JAMES CANNON, JR.

Washington, D. C.



Kitten on the Keys

—Elderman in the *Washington Post*

The Coast Guard Cutter *Champlain*

To the Editor of The Literary Digest—Sir:—In the columns devoted to disasters at sea your paper contains the statement that the U. S. Coast Guard Cutter *Champlain* was at the scene of the *Morro Castle* disaster, and that she was unable to help that ship. This will be corrected by the statement, made also in the columns of THE LITERARY DIGEST of an earlier date, that the U.S.C.G. *Tampa* did all any ship could to assist those unfortunates on the *Morro Castle*. The *Champlain* was on a graceful diplomatic mission to the Government of Denmark at the time of the *Morro Castle* affair.

The same page states that the *Champlain* was unable to assist the *S.S. Severance* when she was in trouble off Fire Island recently. That this is not so will be proved by statements of men actively at work on the freezing decks of the cutter who have told me personally of the lack of intelligent seamanship demonstrated by the crew of the *Severance*, who were unable to properly secure a twelve-inch hawser that had been shot in the most accurate possible fashion on to the decks of the steamer. That wind and wave ultimately had a part in the affair is not denied, but the wording of the articles is unfair and lacking in accuracy.

JOHN A. MORTON, JR., U.S.N.R.

Staten Island, New York City.

[The *Champlain* was not at the *Morro Castle* scene. THE LITERARY DIGEST's misinformation apparently was due to similarity in names. There was no intent to discount the heroic services rendered by the Coast Guard in recording its unsuccessful attempts.—*Editor.*]

War Referendum—An Attack

To the Editor of The Literary Digest—Sir:—The suggestion recently offered by a correspondent that a referendum would be a sure way to avoid war is about as visionary and dangerous as would be the advice to a man about to be attacked by a robber to count 100 before striking his adversary.

The danger in this plan is that it would give any nation that declared war on the United States additional time, while we were holding the referendum, to cross the ocean and ravage our coast.

HENRY TINER.

New Haven, Connecticut.

He Knew Carry Nation

To the Editor of The Literary Digest—Sir:—For a considerable prior period and up to the time of her passing, the writer served as tour and business manager for Carry A. Nation, and feels constrained, if not provoked, to protest the ill-advised belittlement of her work contained in a letter appearing in your December 22 issue.

My own opinion of the methods employed by Mrs. Nation to bring to universal attention the outlawry and abuses of the illicit liquor traffic of her day is of no especial value, but the actual accomplishment of her objective does not admit of a doubt. More than two decades since, and the effects of her heroic work lives on—and will.

I was intimately acquainted with Carry A. Nation's procedure, and at no time or place did she assault a liquor-dispensing establishment operating under the existing laws, so far as I could learn, and certainly not during my connection.

Sundry times, when the exchequer was disturbingly low, I "propositioned" Mrs. Nation to do a little prearranged "hatcheting" for advertising-minded "gents of the saloon" who had contacted me, and who were enthusiastically anxious to lay a substantial advance fee on the "barrel-head." When approached, she'd smile in her motherly way, and say: "Not yet, son. I pray that we shall never need money that badly."

She understood the priceless value of publicity—making the front pages of the nation's press—but, unlike "moviedom," rarely overplayed her hand. Some idea of her potent-reaching influence is amply shown by an unplanned gesture made during our visit to Atlanta.

The Georgia State Convention of the Anti-Saloon League was scheduled, and that organization of any State was "open-season game" for her regardless of the calendar.

Openly she challenged its sincerity, because, as she stated, all those engaged were "paid Hessians." That, however, is quite another story, but this meeting was the magnet which attracted us to the *Queen City of the South* at the time.

Here, also, is the home of a popular fountain-drink of which Mrs. Nation had her suspicions.

To visit Rome and miss seeing the Cathedral would be crass indifference, so spare moments were devoted to a painstaking survey of a carbonated drink in its place of nativity. The hubbub which followed is a matter of record. The United States Pure Food and Drug Division pricked its ears, searching analysis of all fountain-syrups was made, quickly followed by a demand of material changes in many formulas.

Mrs. Nation's applied ideals may appear "ludicrous" to the Corresponding Secretary of the Woman's Christian Temperance Union and to many of us moderns, but her telling it from the housetops "way back yonder" when the cause of true temperance was in able hands, hit the bull's-eye with unfailing accuracy.

Had Carry A. Nation been less spectacular and more "ladylike," it is reasonable to suppose her voice would not have extended beyond the back fence of her modest home in "bootlegglogged" Kansas.

The sincerity and resultant good fruits borne through the W.C.T.U. in their most commendable educational work are not to be discounted.

But I can not subscribe to the act of an official writing disparagingly of one who did so much, unselfishly, to awaken and command nation-wide attention to the evils of unbridled alcoholic indulgence.

If we who have lived through the miscarriage of common sense in law enforcement during the Volstead era have learned anything, it's to play the game on the "up-and-up."

JOSEPH DEEMSTER GLASS.

Hollywood, California.

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Cosmic Radiation

(Continued from page 15)

rays, as they strike the earth, are at least partly composed of charged particles. This has been proved by the effect on them of the earth's magnetic field. He apparently believes, however, that the true rays will ultimately be found to consist of photons.

Swarms of charged particles, knocked from the clouds of dusty material afloat in space, may have been picked up and brought to earth by the rush of the radiation, he explains.

Another unsettled question is, where do the rays come from? Doctor Millikan thought until recently that they were being produced in space by the spontaneous building up of heavier elements, such as helium, oxygen, silicon, and iron, out of hydrogen. Since then it has been shown that the rays represent more energy than had been thought possible. The building of elements from hydrogen would theoretically liberate tremendous amounts of energy, but it would still be far too little to account for the energies of the cosmic rays.

"There are no processes whatever, that we can have any sort of assurance are taking place, that can be called upon to produce such energies as the highest of those observed," said Doctor Millikan.

New Scientific Book

"Men, Mirrors and Stars," by G. Edward Pendray, the Scientific Book Club Selection for January, is said to be the first book on science written by a layman to be selected by this committee of distinguished scientists for its members.

In recommending the book the committee which is composed of Arthur H. Compton, Edwin G. Conklin, Kirtley F. Mather, Harlan T. Stetson, and Edward L. Thorndike, declares that it merits a place on the shelves of every devotee of science. It is a highly readable account of the instruments and techniques used by astronomers in penetrating the secrets of the universe, and is described as a thoroughly scientific book, unmarred by crudities of phrase or errors of statement.

Mr. Pendray is the Science Editor of The Literary Digest. He has an M.A. from Columbia University, was first a reporter and later Science Editor of the New York *Herald Tribune*.

To Seek "Mystery" Race

As soon as enough funds are raised, enabling anthropologists to finance excavations, the long-awaited search for British Columbia's long lost "mystery" race of men, missing for more than 2,000 years, will be undertaken.

Recent diggings near Vancouver have led the anthropologists to believe that a race of giant clam-eating shore-dwellers inhabited Canada's West Coast thousands of years before the settlement of white men.

The basis of this belief is the unearthing of skeletons; great mounds of clam-shells, and other traces of the forgotten race have been found, but its identity still is a mystery.

Whose names are not in the Lights

Unheralded to the vast public which follows the stars on the silver screen are many women who have won renown within the movie industry—who are successfully doing interesting and specialized work of great importance.

These women and their unusual work form the basis for an unusual series of 12 articles, appearing weekly beginning February 6, in The Christian Science Monitor.

IT DARES TO BE DIFFERENT

The Monitor . . . by developing a type of news story dealing with the achievements of those who are doing the constructive if not spectacular work of mankind, keeps alive the promise that daily journalism may some day escape from its obsession with the immediate and trivial.

The Christian Century, Chicago, Illinois

Women Who Help Make the Movies

The articles will be written by Marjorie Shuler and will appear on the Women's Page. They are full of human interest, with many illuminating comments upon women's place in the business world. The film scout who sometimes attends three theaters in an evening . . . the woman who wanted to be a lawyer and who is now aid to an important production executive . . . the secretary to Will Hays . . . are among the workers whose interesting careers are described. While the articles are of value from the vocational standpoint, they serve mainly to show in dramatic fashion how women's activities are broadening.

This interesting series of 12 articles may be ordered by means of the coupon below at the price of 60c.

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The Spice of Life

(TITLE REGISTERED IN U. S. PATENT OFFICE)

View-points.—"My husband must be a strong silent man, full of grit."

"What you want is a dumb dustman."—*Hudson Star.*

Secrets Are Safe.—"Tell me the story of the police raiding your fraternity."

"Oh, that's a closed chapter now."—*Fifth Corps Area News.*

Presence of Mind.—"Call that a Caruso record? The man is singing in German."

"Yes, sir. The record has been translated."—*Nebelspalter (Zurich).*

Natural.—CHARLADY (observing artist's small son drawing pictures)—"I do think Lionel's clever, mum. He must have inhaled it from his father."—*Tit-Bits (London).*

Be Reasonable.—GIRL (to kennel-man)—"When you sold me this dog you said it would grow into a magnificent Russian wolfhound."

KENNEL-MAN—"Can I help it if the Five-Year Plan failed?"—*Denver Post.*

Foolish Risk.—TEACHER—"Robert, if you are always very kind and polite to all your playmates, what will they think of you?"

ROBERT—"Some of 'em would think they could lick me!"—*Chicago Daily News.*

Ingenuity.—Then there's the deaf-and-dumb husband who wore boxing-gloves to bed so he wouldn't talk in his sleep.—*Judge.*

People Are Too Suspicious.—JUDGE—"How could you swindle people who trusted in you?"

PRISONER—"But, judge, people who don't trust you can not be swindled."—*Toronto Globe.*

Do It Over Right.—FARMER (to new hired hand)—"Where's that mule I told you to take out and have shod?"

NEW HAND—"Did you say 'shod'? I thought you said 'shot.' I've just been buryin' her."—*Boston Evening Transcript.*

Cheering Section.—LISSEN—"I had a most enjoyable time at the dentist's this afternoon."

HURJA—"I don't see how that could be."

LISSEN—"It's true. When I went in another dentist was working on my dentist's teeth."—*Pathfinder.*

Start Over.—CUSTOMER—"I haven't come to any ham in this sandwich yet."

WAITER—"Try another bite."

CUSTOMER (taking huge mouthful)—"Nope, none yet."

WAITER—"Dog-gone it! You must have gone right past it."—*Arcanum Bulletin.*

Slips That Pass in the Night

Tomboy Taylor.—He built a 12-foot doll house for his dangdaughter, Dorothy ——.
—*Twin Falls (Idaho) paper.*

Age Not Stated.—What have you to offer in exchange for beautiful wire-haired female?—*Advertisement in Dallas paper.*

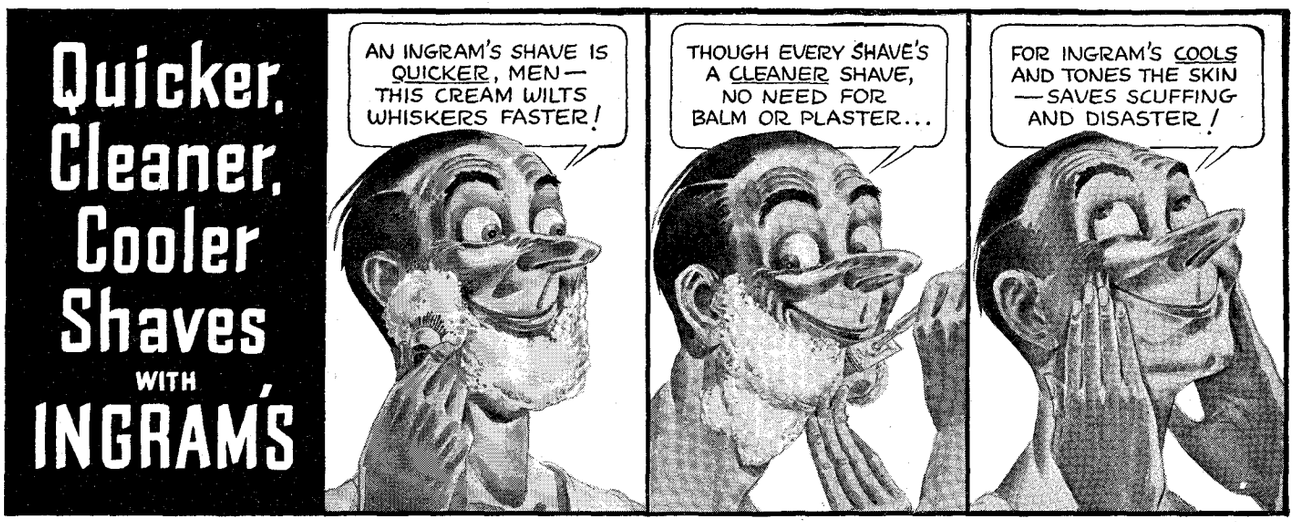
When Philanthropy Runs Wild.—
——— announced that he had given away his fortune amounting to about $,000,000 to charity.—*Nowata (Okla.) paper.*

So Sorry, Dear!—The many friends of Mrs. ——— ——— will be sorry to learn that she is recovering from a severe fall.
—*Boone (Iowa) paper.*

Now for a Nice Chat.—Wanted—A girl for general house werk. Go home at night. Call 52-Z. Price $1,000. 00 with terms like rent. Talk with Farmer.—*Advertisement in Oakland City (Ind.) paper.*

It's the New York Climate.—In New York State alone, the federal emergency relief has bought twelve cabbages to fill twelve trainloads of one hundred cars each.
—*Pittsburgh paper.*

Cracking Under the Strain.—AUGUSTA, ME.—Hard liquor was sold illegally in Maine, pioneer dry state, for the first time in more than 80 years.
—*Columbus (Ohio) paper.*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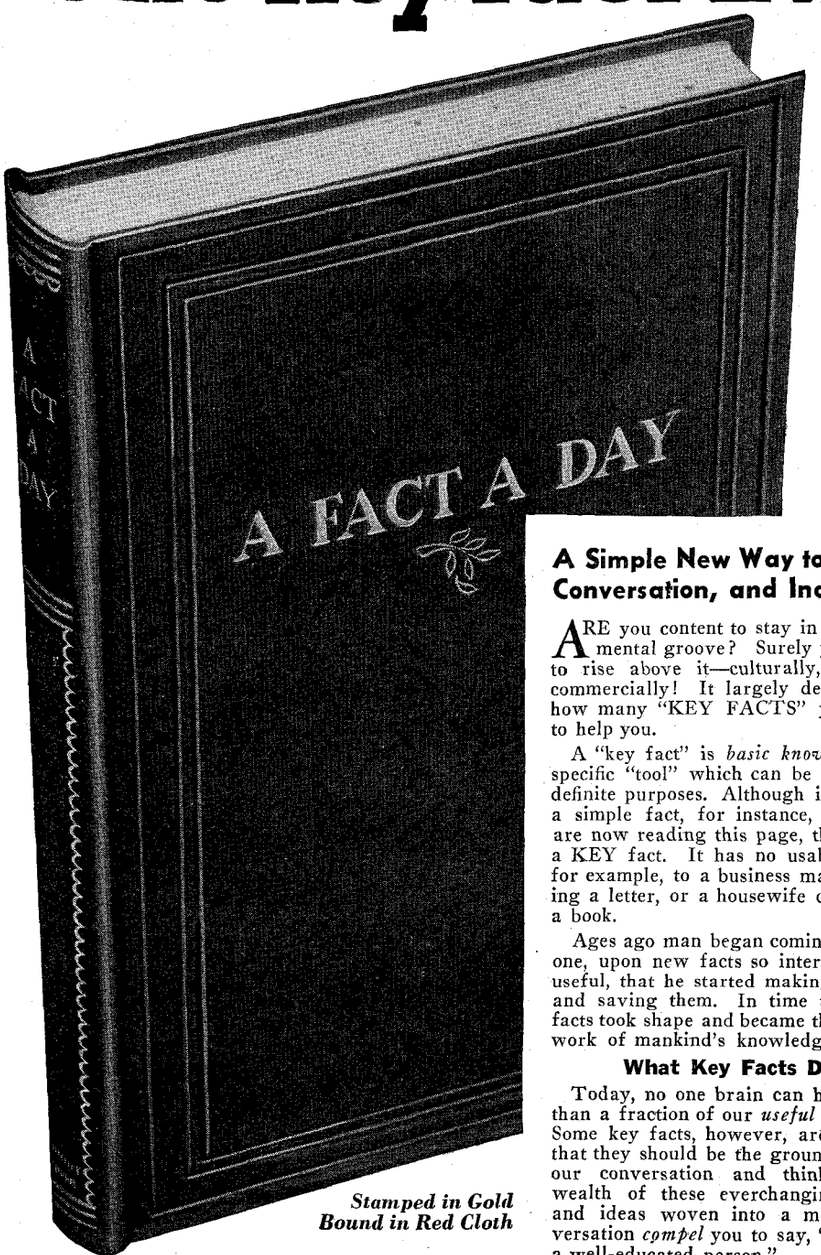

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